# Board Policies and Administrative Regulations

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The use of Internet Explorer is not recommended.

Abbreviations used in this document are as follows:

| | |
|---|---|
| EC | Education Code |
| GC | Government Code |
| CFR | Code of Federal Regulations |
| CCP | Code of Civil Procedure |
| HSC | Health and Safety Code |
| LC | Labor Code |
| PC | Penal Code |

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**DISTRICT PHILOSOPHY AND GOALS** **BP 0100**

**DISTRICT VISION, MISSION, AND MOTTO**

**OUR VISION:**
Empowering every child, every day, to create a better world.

**OUR MISSION:**
The Enterprise Elementary School District is committed to developing within all students

- a love for learning
- personal responsibility
- the confidence to embrace and overcome challenges, and
- the skills to become responsible citizens.

**OUR MOTTO:**
Expect Excellence.

Date Adopted: June 2, 1977
Revised: April 6, 1989, September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

## PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS BP 0200

### GOALS FOR THE SCHOOL DISTRICT

As part of the Governing Board's responsibility to set direction for the school district, the Board shall adopt long-term goals focused on the achievement of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities.

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

Goals shall be established for all students and each numerically significant subgroup as defined in Education Code 52052, which may include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students and shall address each of the state priorities identified in Education Code 52060 and any additional local priorities established by the Board. These goals shall be incorporated into the district's local control and accountability plan (LCAP). (Education Code 52060-52077)

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

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

In addition to the goals identified in the LCAP, and consistent with those goals, the district and each school site may establish goals for inclusion in another district or school plan or for any other purpose. Such goals may address the improvement of governance, leadership, fiscal integrity, facilities, community involvement and collaboration, student wellness and other conditions of children, and/or any other areas of district or school operations. As appropriate, each goal shall include benchmarks or short-term objectives that can be used to determine progress toward meeting the goal.

Date Adopted: June 2, 1977
Date Revised: March 1, 2023

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

## PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS BP 0410

## NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board is committed to providing equal opportunity for all individuals in district programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race; color; ancestry; nationality; national origin; immigration status; ethnic group identification; ethnicity; age; religion; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status; reproductive health decision making; physical or mental disability; medical condition; sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; veteran or military status; or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

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

District programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources.

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (EC 243)

Additionally, the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be adopted by the Board or district if the use would subject a student to unlawful discrimination as specified in Education Code 220. (EC 244)

District programs and activities shall be free of any racially derogatory or discriminatory school or

## PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS BP 0410

## NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (cont't)

athletic team names, mascots, or nicknames.

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

Except for allegations of sex discrimination or sex-based harassment, allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures, for students, and Administrative Regulation 4030 - Nondiscrimination in Employment, for employees. Complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved in accordance with 34 CFR 106.44 and 106.45 and as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for students, and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for employees.

Pursuant to 34 CFR 104.8 and 106.8, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the district. The notification shall also be posted on the district's website and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (EC 234.7)

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

that other language. (EC 48985; 20 USC 6312)

**Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

The Superintendent or designee shall ensure that the district's web and mobile applications comply with technical standards prescribed by law, and as necessary, shall provide appropriate auxiliary aids and services to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of district services, programs, or activities. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school websites, note takers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or designee if they have a disability that requires special assistance or services.

Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

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

HR Director, 1155 Mistletoe Lane, Redding, California 96002 Phone: (530) 224-4100

(2/14 10/16) 5/18

Date Adopted: September 3, 2008
Date Revised: June 20, 2012, August 3, 2016, November 7, 2018, November 4, 2020, September 4, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

## PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS BP 0420.1

## SCHOOL-BASED PROGRAM COORDINATION

In order to best serve students with special needs and students participating in designated educational programs, the Governing Board encourages school-based program coordination as a means for achieving flexibility in the use of the categorical funds received by each school. The Board believes that resources acquired to assist students in one program often can benefit other students without in any way depriving the originally targeted group.

A school site council shall be established at each school to consider whether or not it wishes the school to participate in school-based program coordination. All interested persons shall have an opportunity to meet in public to establish the site council. (Education Code 52852.5)
(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)

The school site council of any participating school shall develop, for approval by the Board, a school plan that addresses the components specified in Education Code 52853. This plan shall be incorporated into the school's single plan for student achievement required for the state's consolidated application process. (Education Code 52853, 64001)

Evaluation of each participating school's educational program shall include an assessment of the school's effectiveness in meeting the needs of each student population originally targeted by the categorical programs.
(cf. 0500 - Accountability)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5149 - At-Risk Students)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6174 - Education for English Language Learners)
(cf. 6190 - Evaluation of the Instructional Program)

*Legal Reference:*
*EDUCATION CODE*
*8750-8754 Conservation education*
*41500-41573 Categorical education block grants*
*44520-44534 New Careers Program*
*51870-51874 Education technology*
*52200-52212 Gifted and Talented Education Program*
*52340-52346 California Regional Career Guidance Centers*
*52800-52887 School-Based Program Coordination Act*
*54000-54028 Educationally Disadvantaged Youth Programs*
*54100-54145 Miller-Unruh Basic Reading Act*
*54650-54659 Education Improvement Incentive Program*
*56000-56867 Special education*
*64000 Categorical programs included in consolidated application*
*64001 Single school plan for student achievement, consolidated application programs*
*MILITARY AND VETERANS CODE*
*500-520.1 California Cadet Corps*
*Management Resources:*
*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*
*Voluntary Template for the Single Plan for Student Achievement*
*WEB SITES*
*California Department of Education: http://www.cde.ca.gov*

(9/88 6/98) 7/05

Date Adopted: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**DISTRICT PHILOSOPHY AND GOALS** **BP 0420.4**

## CHARTER SCHOOL AUTHORIZATION

The Governing Board recognizes that charter schools may assist the district in offering diverse learning opportunities for students. In considering any petition to establish a charter school within the district, the Board shall give thoughtful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

One or more persons may submit a petition to the Board for a charter school to be established within the district or for the conversion of an existing district school to a charter school. (EC 47605)

Any petition for a charter school shall include all components, signatures, and statements required by law, as specified in the accompanying administrative regulation. The proposed charter shall be attached to the petition. (EC 47605)

The Superintendent or designee shall consult with legal counsel, as appropriate, regarding compliance of the charter petition with legal requirements.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, the Superintendent or designee may also meet with the petitioners to establish workable plans for contracted services, which the district may provide to the proposed charter school.

The Board shall not require any district student to attend the charter school, nor shall it require any district employee to work at the charter school. (EC 47605)

### Timelines for Board Action

Within 60 days of receiving a charter petition, the Board shall hold a public hearing on the charter provisions, at which time the Board shall consider the level of support for the petition by district teachers, other district employees, and parents/guardians. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (EC 47605)

The Board shall either grant or deny the petition at a public hearing held within 90 days of receiving the petition, or within 120 days with the consent of both the petitioner and the Board. (EC 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter, the district shall publish all staff recommendations regarding the petition, including any recommended findings and, if applicable, certification from the County Superintendent of Schools regarding the potential fiscal impact of the charter school on the district. During the public hearing, the petitioners shall have equal time and opportunity to present evidence and testimony in response to the staff recommendations and findings. (EC 47605)

**CHARTER SCHOOL AUTHORIZATION (continued)**

### Approval of Petition

A charter petition shall be granted only if the Board is satisfied that doing so is consistent with sound educational practice and the interests of the community in which the school is proposing to locate. In granting charters, the Board shall consider the academic needs of the students the charter school proposes to serve and shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences for students who are identified by the petitioner as academically low-achieving, based on standards established by California Department of Education (CDE). (EC 47605)

Prior to authorizing any charter, the Board shall verify that the charter includes adequate processes and measures for monitoring and holding the school accountable for fulfilling the terms of its charter and complying with all applicable laws, including Education Code 47604.1. Such processes and measures shall include, but are not limited to, fiscal accountability systems, multiple measures for evaluating the educational program, inspection and observations of any part of the charter school, and regular reports to the Board.

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (EC 47611.5)

The Board may approve one or more memoranda of understanding (MOU) to clarify the financial and operational agreements between the district and the charter school. Any such MOU shall be annually reviewed by the Board and charter school governing body and amended as necessary.

The Board may initially grant a charter for a specified term not to exceed five years. (EC 47607)

When a petition is approved by the Board, it shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the petition to the County Superintendent, CDE, and the State Board of Education (SBE). (EC 47605)

### Denial of Petition

The Board shall summarily deny any charter petition that proposes to:

1. Operate a charter school as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (EC 47604)

2. Convert a private school to a charter school (EC 47602)

3. Serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district (EC 47605)

4. Offer nonclassroom-based instruction (EC 47612.7)

**DISTRICT PHILOSOPHY AND GOALS** **BP 0420.4**

**CHARTER SCHOOL AUTHORIZATION (continued)**

Regarding all other charter petitions, the Board shall deny a petition only if the Board makes written factual findings specific to the petition that one or more of the following conditions exist: (EC 47605; 5 CCR 11967.5.1)

1. The charter school presents an unsound educational program that has a likelihood of physical, educational, or psychological harm to, or which is not likely to provide an educational benefit for, the students to be enrolled in the charter school

2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition

3. The petition does not contain the number of signatures required

4. The petition does not contain a clear, unequivocal statement described in Education Code 47605(e), including that the charter school will be nonsectarian and that the school shall not charge tuition or discriminate against any student based on the characteristics specified in Education Code 220

5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(c)

6. The petition does not contain a declaration as to whether the charter school shall be deemed the exclusive public employer of the school's employees for purposes of collective bargaining pursuant to Government Code 3540-3549.3

7. The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate

   Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding shall detail specific facts and circumstances that analyze and consider the following factors:

a. The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings

b. Whether the proposed charter school would duplicate a program currently offered within the district, when the existing program has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate

8. The district is not positioned to absorb the fiscal impact of the proposed charter school

**CHARTER SCHOOL AUTHORIZATION (continued)**

The district meets this criterion if it has a negative interim certification, has a qualified interim certification and the County Superintendent certifies that approving the charter school would result in the district having a negative interim certification, or is under state receivership.

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll students with disabilities who reside outside the special education local plan area in which the district participates. (EC 47605.7, 47647)

**Appeals**

If the Board denies a petition, the petitioner may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to SBE. (EC 47605)

At the request of the petitioner, the Board shall prepare the documentary record, including a transcript of the public hearing at which the Board denied the charter, no later than 10 business days after the petitioner makes the request. (EC 47605)

Within 30 days of receipt of an appeal submitted to SBE, the Board may submit a written opposition to SBE, which may include supporting documentation, detailing, with specific citations to the documentary record, how the Board did not abuse its discretion in denying the petition. (EC 47605)

If either the County Board or SBE remands the petition to the Board because the petition on appeal contains new or different material terms, the Board shall reconsider the petition and shall grant or deny the petition within 30 days. (EC 47605)

**Material Revisions to Charter**

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to petitions for the authorization of charter schools as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (EC 47607)

The Board shall determine whether a proposed change in charter school operations would constitute a material revision of the approved charter.

If an approved charter school proposes to expand operations to one or more additional sites or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations or grade levels at an open, public meeting. (EC 47605, 47607)

The Board may deny a proposed material revision if it finds that the proposed material revision would

**CHARTER SCHOOL AUTHORIZATION (continued)**

render the charter school demonstrably unlikely to serve the interests of the entire community in which the school is located or proposes to locate. In making this finding, the Board shall consider all of the following: (EC 47605)

1. The fiscal impact of the proposed expansion on the district

2. The extent to which the expansion would substantially undermine existing services, academic offerings, or programmatic offerings

3. Whether the expansion would duplicate a program currently offered within the district that has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate

Additionally, the Board may deny a proposed material revision if it finds that the district is not positioned to absorb the fiscal impact of the proposed material revision. The Board shall make this finding if the district has a qualified interim certification pursuant to Education Code 42131 and the County Superintendent, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the district having a negative interim certification pursuant to Education Code 42131, the district has a negative interim certification pursuant to Education Code 42131, or the district is under state receivership. (EC 47605

Board Adopted: December 7, 2005
Date Revised: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**DISTRICT PHILOSOPHY AND GOALS** **AR 0420.4**

## CHARTER SCHOOL AUTHORIZATION

### Petition Signatures

A petition for the establishment of a start-up charter school must be signed by either of the following: (Education Code 47605)

1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the school for its first year of operation

2. A number of teachers equivalent to at least one-half of the total number of teachers that the charter school estimates will be employed at the school during its first year of operation

A petition that proposes to convert an existing public school to a charter school must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

Any petition circulated to collect signatures shall include a prominent statement explaining that a parent/guardian's signature means that the parent/guardian is meaningfully interested in having a child attend the charter school, or a teacher's signature means that the teacher is meaningfully interested in teaching at the charter school. (Education Code 47605)

### Staff Advisory Committee

The Superintendent or designee may establish a staff advisory committee to evaluate the completeness of a charter petition based on the requirements in Education Code 47605 and to identify any concerns that should be addressed by the petitioners.

### Components of Charter Petition

All charter petitions shall comply with the applicable requirements of Education Code 47605, other state and federal laws, and district policies.

The charter petition shall include affirmations that the charter school will be nonsectarian in its programs, admission policies, employment practices, and operations; will not charge tuition; and will not discriminate against a student on the basis of characteristics listed in Education Code 220. The petition shall also contain reasonably comprehensive descriptions of: (Education Code 47605)

1. The educational program of the proposed school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs.

   The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.

**CHARTER SCHOOL AUTHORIZATION (continued)**

2. The charter school's annual goals for all students and for each numerically significant subgroup of students identified pursuant to Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, long term English learners, students with disabilities, foster youth, and students experiencing homelessness

   These goals shall be aligned with the state priorities listed in Education Code 52060 that apply to the grade levels served. The petition also shall describe specific annual actions to achieve those goals. The petition may identify additional priorities established for the proposed school, goals aligned with those priorities, and specific annual actions to achieve those goals.

   If the proposed charter school will serve high school students, the petition shall describe the manner in which the school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "A-G" admissions criteria may be considered to meet college entrance requirements.

3. The measurable student outcomes identified for use by the charter school

   Student outcomes means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program, including outcomes that address increases in student academic achievement both schoolwide and for each numerically significant subgroup of students served by the charter school. The student outcomes shall align with the state priorities identified in Education Code 52060 that apply for the grade levels served by the charter school.

4. The method by which student progress in meeting the identified student outcomes is to be measured

   To the extent practicable, the method for measuring student outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

5. The location of each charter school facility the petitioner intends to operate

6. The governance structure of the charter school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement

7. The qualifications to be met by individuals to be employed by the charter school

8. The procedures that the charter school will follow to ensure the health and safety of students and staff, including the following requirements:

a. Each charter school employee shall furnish the school with a criminal record summary as described in Education Code 44237

b. The charter school shall develop a school safety plan which includes the topics listed in Education Code 32282(a)(2)(A)-(N)

c. The charter school's safety plan shall be reviewed and updated by March 1 each year

9. The means by which the charter school will achieve a balance of racial and ethnic students, special education students, and English learner students, including redesignated fluent English proficient students, that is reflective of the general population residing within the district's territorial jurisdiction

10. The charter school's student admission policy

    The petition shall, in accordance with Education Code 47605(e), specify procedures for determining enrollment when the number of applicants exceeds the school's capacity, including requirements for the use of a public random drawing, admission preferences, and priority order of preferences as required by law and subject to Governing Board approval.

11. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the Board's satisfaction

12. The procedures by which students can be suspended or expelled for disciplinary reasons or otherwise involuntarily removed for any reason, including an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements as specified in Education Code 47605 and 47605.6

    Such procedures shall contain a clear statement that no student shall be involuntarily removed by the charter school for any reason unless written notice of the intent to remove the student is given to the student's parent/guardian at least five schooldays before the effective date of the removal. In the case of a student experiencing homelessness or foster youth, the notice shall be given to the student's educational rights holder. Additionally, a foster youth's attorney and county social worker, and an Indian child's tribal social worker, and if applicable, the county social worker, shall be given such notice.
    For suspensions of fewer than 10 days, the student shall be provided oral or written notice of the charges and an explanation or the supporting evidence. The student shall be provided an opportunity to provide a response.

**CHARTER SCHOOL AUTHORIZATION (continued)**

Notice shall include written notice of the charges and inform the student, the student's parent/guardian, and any other specified individual, as applicable, of the right to initiate a hearing as described in Education Code 47605, before the effective date of the removal. The notice shall be provided in the student's parent/guardian's, or other applicable person's language, and, if such a hearing is initiated, shall include the student's right to remain enrolled in the charter school until a final decision is made by the charter school.

In addition, the procedures shall contain a statement pertaining to the provision of homework assignments to suspended students as specified in Education Code 47606.2.

Such procedures shall also include processes by which the charter school will, within 30 days, notify the Superintendent of the district of the student's last known address and, upon request, provide the student's cumulative record to the district, when a student is expelled or leaves the charter school without graduating or completing the school year for any reason. In addition, the procedures shall describe the means by which the district can contact the charter school if the student is subsequently expelled or leaves the school district without graduating or completing the school year for any reason.

Involuntarily removed means disenrolled, dismissed, transferred, or terminated, but does not include suspensions. (Education Code 47605)

13. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security

14. The public school attendance alternatives for students residing within the district who choose to not attend the charter school

15. A description of the rights of any district employee upon leaving district employment to work in the charter school and of any rights of return to the district after employment at the charter school

16. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions

17. A declaration as to whether the charter school will be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3

18. Consistent with 5 CCR 11962, the procedures to be used if the charter school closes, including, but not limited to:

**CHARTER SCHOOL AUTHORIZATION (continued)**

a. Designation of a responsible entity to conduct closure-related activities

b. Notification to parents/guardians, the Board, the County Office of Education, the special education local plan area in which the charter school participates, the retirement systems in which the school's employees participate, and the California Department of Education, providing at least the following information:

   i. The effective date of the closure

   ii. The name(s) and contact information of the person(s) to whom reasonable inquiries may be made regarding the closure

   iii. The students' districts of residence

   iv. The manner in which parents/guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements

c. Provision of a list of students at each grade level, the classes they have completed, and their districts of residence to the responsible entity designated in accordance with Item #18a above

d. Transfer and maintenance of all student records, all state assessment results, and any special education records to the custody of the responsible entity designated in accordance with Item #18a above, except for records and/or assessment results that the charter may require to be transferred to a different entity

e. Transfer and maintenance of personnel records in accordance with applicable law

f. Completion of an independent final audit within six months after the closure of the charter school that may function as the annual audit, which includes an assessment of the disposition of any restricted funds received by or due to the school and an accounting of all financial assets and liabilities pursuant to 5 CCR 11962

g. Disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed pursuant to 5 CCR 11962

h. Completion and filing of any annual reports required pursuant to Education Code 47604.33

i. Identification of funding for the activities identified in Item #18a-h above

## CHARTER SCHOOL AUTHORIZATION (continued)

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including, but not limited to: (Education Code 47605)

1. The facilities to be used by the charter school, including where the school intends to locate
2. The manner in which administrative services of the charter school are to be provided
3. Potential civil liability effects, if any, upon the charter school and district
4. Financial statements that include a proposed first-year operational budget, including start-up costs and cash-flow and financial projections for the first three years of operation
5. If the charter school is to be operated by or as a nonprofit public benefit corporation, the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school

### Location of Charter School

Unless otherwise exempted by law, the charter petition shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

A charter school may establish a resource center, meeting space, or other satellite facility within the jurisdiction of the school district where the charter school is physically located if both of the following conditions are met: (Education Code 47605.1)

1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school
2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized

Board Adopted: December 7, 2005
Date Revised: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

## PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS BP 0430

## COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

The Governing Board desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)
(cf. 6159 - Individualized Education Program)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 4112.23 - Special Education Staff)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the SELPA.

The Superintendent or designee shall extend the district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the SELPA plan specifically authorizes the district to operate under its own policies and regulations.

## PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS BP 0430

## COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

*Legal Reference:*
*EDUCATION CODE*
*56000-56001 Education for individuals with exceptional needs*
*56020-56035 Definitions*
*56040-56046 General provisions*
*56048-56050 Surrogate parents*
*56055 Foster parents*
*56060-56063 Substitute teachers*
*56170-56177 Children enrolled in private schools*
*56190-56194 Community advisory committees*
*56195-56195.10 Local plans*
*56205-56208 Local plan requirements*
*56213 Special education local plan areas with small or sparse populations*
*56240-56245 Staff development*
*56300-56385 Identification and referral, assessment, instructional planning*
*56440-56447.1 Programs for individuals between the ages of three and five years*
*56500-56508 Procedural safeguards, including due process rights*
*56520-56524 Behavioral interventions*
*56600-56606 Evaluation, audits and information*
*56836-56836.05 Administration of local plan*
*GOVERNMENT CODE*
*7579.5 Surrogate parent, appointment, qualifications, liability*
*95000-95029 California Early Intervention Services Act*
*WELFARE AND INSTITUTIONS CODE*
*361 Limitations on parental control*
*726 Limitations on parental control*
*CODE OF REGULATIONS, TITLE 5*
*3000-3089 Regulations governing special education*
*UNITED STATES CODE, TITLE 20*
*1400-1482 Individuals with Disabilities Education Act*
*UNITED STATES CODE, TITLE 29*
*794 Rehabilitation Act of 1973, Section 504*
*UNITED STATES CODE, TITLE 42*
*12101-12213 Americans with Disabilities Act*
*CODE OF FEDERAL REGULATIONS, TITLE 34*
*99.10-99.22 Inspection, review and procedures for amending education records*
*104.1-104.39 Section 504 of the Rehabilitation Act of 1973*
*300.1-300.818 Assistance to states for the education of children with disabilities, including:*
*300.500-300.520 Due process procedures for parents and children*
*303.1-303.654 Early intervention program for infants and toddlers with disabilities*

*Management Resources:*
*WEB SITES*
*California Department of Education, Special Education: http://www.cde.ca.gov/sp/se*
*U.S. Department of Education, Office of Special Education Programs: http://www.ed.gov/about/offices/list/osers/osep*

(2/98 7/03) 11/06

Date Adopted: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS AR 0430**

## COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Definitions

Free appropriate public education (FAPE) means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education, including the requirements of 34 CFR 300.1-300.818; include appropriate preschool, elementary school, or secondary school education for individuals between the ages of 3 and 21; and are provided in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR 300.320-300.324. (34 CFR 300.17, 300.101, 300.104; Education Code 56040)

FAPE applies to students who are suspended or expelled or placed by the district in a nonpublic, nonsectarian school. (34 CFR 300.17, 300.101, 300.104)

Least restrictive environment means that, to the maximum extent appropriate, students with disabilities, including individuals in public or private institutions or other care facilities, be educated with individuals who are nondisabled, including the provision of nonacademic and extracurricular services and activities. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (34 CFR 300.107, 300.114, 300.117; Education Code 56040.1)

Special education means specially designed instruction, provided at no cost to the parent/guardian, to meet the unique needs of individuals with disabilities including a full continuum of program options including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education to meet the educational and service needs in the least restrictive environment. (Education Code 56300, 56031)

Special education may include each of the following if the services otherwise meet the definition in the above paragraph: (Education Code 56031)

1. Speech language pathology services, or any other designated instruction and service or related service, pursuant to Education Code 56363, if the service is considered special education rather than designated instruction and service or related service under state standards

2. Travel training

3. Career technical education

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)**

4. Transition services for students with disabilities in accordance with 34 CFR 300.43 if provided as specially designed instruction, or a related service, if required to assist a student with disabilities to benefit from special education

Specially designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the student that result from the student's disability and to ensure access of the student to the general curriculum, so that the student can meet the educational standards that apply to all students in the district. (34 CFR 300.39)

Surrogate parent means an individual assigned to act as a surrogate for the parent/guardian. The surrogate may represent an individual with disabilities in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with disability. (34 CFR 300.519; Education Code 56050)
(cf. 6159.4 - Appointment of Surrogate Parent for Special Education)

Elements of the Local Plan

The local plan developed by the special education local plan area (SELPA) shall include, but not be limited to, the following: (Education Code 56205, 56206)

1. Assurances that policies, procedures, and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code 56205(a)(1-22) and in conformity with 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201

2. An annual budget plan and annual service plan adopted at a public hearing held by the SELPA

3. A description of programs for early childhood special education from birth through five years of age

4. A description of the method by which members of the public, including parents/guardians of individuals with disabilities who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205

**PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS AR 0430**

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)**

5. A description of a dispute resolution process

6. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205

7. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303

8. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met

9. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment

The local plan, annual budget plan, and annual service plan shall be written in language that is understandable to the general public. (Education Code 56205)

Each entity providing special education shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to Education Code 56195.1 and 56195.7. (Education Code 56195.8)

(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 3542 - School Bus Drivers)
(cf. 4112.23 - Special Education Staff)
(cf. 5144.2 - Suspension and Expulsion (Students with Disabilities))
(cf. 6159 - Individualized Education Program)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School)
(cf. 6164.6 - Identification and Education Under Section 504)

(4/03 11/06) 3/08

Date Adopted: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

## PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS BP 0441

## ARTIFICIAL INTELLIGENCE

The Governing Board recognizes the transformative potential of artificial intelligence (AI) to increase student access to information, support teacher effectiveness, and facilitate the administration of student assessments, as well as the potential for AI to undermine student achievement, health, and well-being. Therefore, the Board is committed to supporting the use of AI by students and staff in accordance with the following principles:

1. Student-Centered: AI should be used to personalize and enhance the learning experience for each student and to support digital citizenship and literacy

2. Staff-Centered: AI should be used as a tool to augment and support, rather than replace, staff in the performance of their duties and responsibilities

3. Ethical Use and Transparency: AI should be used ethically and transparently by all staff and students, with careful consideration of potential biases, and in compliance with all applicable intellectual property and copyright laws

4. Accountability and Responsibility: AI should be used in a manner that ensures accountability by those who use it and that those who use it are responsible for such use, including when and how it is used

5. Equity and Access: AI should be implemented in a manner that ensures equitable access and opportunity for all students, regardless of background or ability, and for all schools across the district

6. Secure and Private: The district should prioritize security and privacy when changing existing practices or adopting new practices regarding AI

7. Professional Development: The district should provide ongoing professional development for staff in all aspects of AI, with a particular focus on the ethical and responsible use of AI

8. Community Engagement: The district should engage with the community to share these principles, to educate the community on AI, and to discuss the permitted and prohibited uses of AI in the district

9. Continuous Improvement: The district should regularly evaluate the use of AI by students and staff, and adapt its policies, procedures, and professional development to align with best practices and evolving technologies

The Superintendent shall ensure that the use of AI in the district is consistent with this policy, Board Policy 0440 - District Technology Plan, Board Policy/Exhibit (1) 4040 - Employee Use of

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS BP 0441**

**ARTIFICIAL INTELLIGENCE (continued)**

Technology, Board Policy 5131.9 - Academic Honesty, Board Policy 6154 - Homework/Makeup Work, Board Policy 6162.5 - Student Assessment, and Board Policy/Exhibit (1) 6163.4 - Student Use of Technology.

Artificial intelligence means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer, from the input it receives, how to generate outputs that can influence physical or virtual environments. (Education Code 33328.5)

Board Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**DISTRICT PHILOSOPHY AND GOALS** **BP 0450**

## COMPREHENSIVE SAFETY PLAN

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for staff and student conduct, responsible behavior, and respect for others.

The school site council at each district school shall develop a comprehensive school safety plan (CSSP) relevant to the needs and resources of that particular school. New school campuses shall develop a CSSP within one year of initiating operations. (EC 32281, 32286)

The CSSP shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the school site.

The CSSP(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (EC 32286, 32288)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

As necessary, the Superintendent or designee shall provide training on the CSSP to all school staff.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education (CDE) of any schools that have not complied with the requirements of Education Code 32281. (EC 32288)

### Tactical Response Plan

Notwithstanding the process described above, any portion of a CSSP that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to safeguard students and staff, secure affected school premises, and apprehend criminal perpetrator(s), shall be developed by the Superintendent or designee in accordance with Education Code 32281. In developing such strategies, the Superintendent or designee shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials and approve the tactical response plan, provided that any vote to approve the

**DISTRICT PHILOSOPHY AND GOALS** **BP 0450**

**COMPREHENSIVE SAFETY PLAN (continued)**

tactical response plan is announced in open session following the closed session. (EC 32281)

**Safety Plan(s) Access and Reporting**

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (EC 32282)

However, those portions of the CSSP that include tactical responses to criminal incidents need not be publicly disclosed.

The Superintendent or designee shall share the CSSPs and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (EC 32281)

Additionally, the Superintendent or designee shall provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools in accordance with Education Code 32289.5. (EC 32289.5)

Date Adopted: September 3, 2008
Date Revised: March 1, 2017, September 3, 2025, February 4, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**DISTRICT PHILOSOPHY AND GOALS** **AR 0450**

## COMPREHENSIVE SAFETY PLAN

### Development and Review of Comprehensive School Safety Plan

The school site council shall consult with local law enforcement, the local fire department, and other first responders in the writing and development of the comprehensive school safety plan (CSSP). When practical, the school site council shall also consult with other school site councils and safety planning committees. (EC 32281, 32282)

Additionally, the school site council may invite community leaders, local emergency medical services personnel, the district's public entity risk pool joint powers authority or insurance provider, and other persons who may be interested in the health and safety of students and the prevention of campus crime and violence to participate in the planning process. (EC 32280)

The school site council may delegate the responsibility for developing a CSSP to a school safety planning committee composed of the following members: (EC 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

Before adopting the CSSP, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the plan. (EC 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting, if available: (EC 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent/guardian organization at the school, including the parent teacher association and parent teacher clubs

**COMPREHENSIVE SAFETY PLAN (continued)**

4. A representative of each teacher organization at the school
5. A representative of the school's student body government
6. All persons who have indicated that they want to be notified

Additionally, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (EC 32288)

1. Representatives of local religious organizations
2. Local civic leaders
3. Local business organizations

After the first evaluation or review is conducted, and after each annual evaluation or review, a school employee, a student's parent/guardian or educational rights holder, or a student may bring concerns about an individual student's ability to access disaster safety procedures described in the CSSP to the principal. (EC 32282)

If the principal determines there is merit to a concern, the principal shall direct the school site council or school safety planning committee to make appropriate modifications to the CSSP during the evaluation of the CSSP. The principal may direct the school site council or the school safety planning committee to make such modifications before the evaluation, as appropriate. (EC 32282)

**Content of the Comprehensive Safety Plan**

Each CSSP shall include an assessment of the current status of any crime committed on campus and at school-related functions. (EC 32282)

The assessment may include, but not be limited to, law enforcement crime data, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

The plan shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (EC 32282)

**COMPREHENSIVE SAFETY PLAN (continued)**

1. Child abuse or neglect reporting procedures consistent with Penal Code 11164-11174.3, including procedures specifically designed to address the supervision and protection of children from child abuse or neglect or sex offenses

2. Routine and emergency disaster procedures including, but not limited to:

    a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act, the federal Individuals with Disabilities Education Act, and Section 504 of the federal Rehabilitation Act of 1973

    b. An earthquake emergency procedure system as specified

    c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

    d. Commencing with the 2026-27 school year, a procedure to identify appropriate refuge shelter for all students and staff to be used in the event of an evacuation order and, for any school in a high or very high fire hazard severity zone, a communication and evacuation plan to be used in the event of an early notice evacuation warning that allows enough time to evacuate all students and staff

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school

8. A safe and orderly school environment conducive to learning

**COMPREHENSIVE SAFETY PLAN (continued)**

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions

11. If procedures to prepare for active shooters or other armed assailants by conducting a drill are included in the CSSP, the CSSP shall specify that:

    a. The school will not conduct a high-intensity drill, as defined in Education Code 32282

    b. Real weapons, gunfire blanks, or explosions will not be used in the conducting of the drill

    c. A trauma-informed approach as specified in Education Code 32282 will be used in the design and execution of any drill

12. Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school

13. Procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds

14. Procedures specifically designed to notify parents/guardians and district staff when the school confirms that an officer or employee of an agency conducting immigration enforcement is on school grounds as specified in Education Code 32282

15. For schools that serve students in any of grades 7-12, a protocol in the event a student is suffering or is reasonably believed to be suffering from an opioid overdose

16. An instructional continuity plan to establish communication with students and their families and provide instruction to students when in-person instruction is disrupted due to an emergency, as specified in Education Code 32282

17. Explicit procedures to prohibit the use of smartphones in the case of an emergency or in response to a perceived threat of danger if such use is prohibited in Board Policy 5131.8 - Mobile Communication Devices (EC 48901.7)

Among the strategies for providing a safe environment, the CSSP may also include:

**DISTRICT PHILOSOPHY AND GOALS** **AR 0450**

**COMPREHENSIVE SAFETY PLAN (continued)**

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

3. Strategies aimed at preventing potential incidents involving crime and violence on school campuses, including vandalism, drug and alcohol abuse, gang membership and violence, hate crimes, bullying, including bullying committed personally or by means of an electronic act, teen relationship violence, and discrimination and harassment, including sexual harassment

4. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education and literacy, character/values education, social and emotional learning, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

5. Parent/guardian and community involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

6. Provision of safety materials and emergency communications in language(s) understandable to parents/guardians

7. Annual notification to parents/guardians related to the safe storage of firearms

8. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

9. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

10. District policy prohibiting the possession of firearms and ammunition on school grounds

11. Measures to prevent or minimize the influence of gangs on campus

12. Procedures for receiving verification from law enforcement when a violent crime or sex offense has occurred on school grounds and for promptly notifying parents/guardians and

**COMPREHENSIVE SAFETY PLAN (continued)**

employees of that crime

13. Procedures for the early identification and threat assessment of, and appropriate response to, suspicious and/or threatening digital media content

14. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

15. Independent security assessment of the school's network infrastructure and selected web applications to identify vulnerabilities and provide recommendations to improve cybersecurity

16. Guidelines for the roles and responsibilities of mental health professionals, athletic coaches, community intervention professionals, school counselors, school resource officers, and police officers on school campuses

    Guidelines may include, but are not limited to, the following:

    a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement

    b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support

    c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity

17. Strategies for suicide prevention and intervention

18. District policy and/or plan related to pandemics

19. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

20. Crisis prevention and intervention strategies, which may include the following:

**COMPREHENSIVE SAFETY PLAN (continued)**

a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)

c. Assignment of staff members responsible for each identified task and procedure

d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan

e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media

f. Communication with parents/guardians of reunification plans and the necessity of cooperating with first responders

g. Development of a method for the reporting of violent incidents

h. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

21. Training on assessment and reporting of potential threats, violence prevention, and intervention techniques

    Such training shall include preparation to implement the elements of the CSSP

22. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

23. Continuity of operations procedures to ensure that the district's essential functions are not disrupted during an emergency, to the extent possible

Date Adopted: September 3, 2008
Date Revised: March 1, 2017, September 3, 2025, February 4, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**DISTRICT PHILOSOPHIES AND GOALS** **BP 0510**

## SCHOOL ACCOUNTABILITY REPORT CARD (SARC)

The Governing Board recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each district school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and district staff to review achievements and identify areas of improvement.

The Board shall annually issue a school accountability report card (SARC) for each school site. (EC 35256)

In preparing the district's report cards, the Superintendent of designee may choose to use or adapt the model template provided by the California Department of Education. If the model template is not used, the Superintendent or designee shall ensure that data is reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Board shall compare the content of the District's SARCs to the state's model template, recognizing that variances are allowed by law as necessary to meet local needs. (Education Code 33126.1, 35256)

The Board shall annually approve the SARCs for all District schools and shall evaluate the data contained in the SARCs as part of the Board's regular review of the effectiveness of the District's programs, personnel, and fiscal operations.

The Superintendent or designee shall develop strategies for communicating the information contained in the SARCs to all stakeholders, including opportunities for staff and the community to discuss their content.

### Notification and Dissemination of SARCs

Annually, on or before February 1 of each year, the Superintendent or designee shall publicize the issuance of the SARCs, make the SARCs available on the district's website, and notify parents/guardians that a hard copy shall be provided upon request. (EC 33126, 35256, 35258)

Additionally, when 15 percent or more of a school's students speak a single primary language other than English, the SARC shall be translated into that language. (EC 48985)

In addition, the SARC shall be provided in an understandable an uniform format and, to the extent practicable, provided in a language that parents/guardians can understand. (EC 33126, 35256; 20 USC 6311)

Date Adopted: November 2, 1989
Date Revised: June 13, 2007, September 3, 2008, November 6, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**DISTRICT PHILOSOPHIES AND GOALS** **AR 0510**

## SCHOOL ACCOUNTABILITY REPORT CARD (SARC)

### Contents

Each year the principal or designee at each school shall prepare a school accountability report card (SARC), which shall include, but is not limited to: (EC 33126)

1. Student achievement by grade level, as measured by the results of the statewide assessment

2. Progress toward reducing dropout rates, including the one-year dropout rate listed in the California Basic Educational Data System (CBEDS) for the school over the most recent three-year period, and the graduation rate, as defined by the State Board of Education, over the most recent three-year period when available pursuant to Education Code 52052

3. Estimated expenditures per student and types of services funded, including the actual salaries of personnel assigned to the school

   The assessment of estimated expenditures per student shall be reported in total, in subtotal by restricted and by unrestricted source, and include a reporting of the average of actual salaries paid to certificated instructional personnel at that school.

4. Progress toward reducing class sizes and teaching loads, including the average class size and the distribution of class sizes at the school by grade level, using CBEDS for the most recent three-year period

5. The total number of the school's fully credentialed teachers, the number of teachers relying upon emergency credentials, the number of teachers working without credentials, any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period
6. The quality and currency of textbooks and other instructional materials, including whether textbooks and other materials meet state standards, the ratio of textbooks per student, and the year the textbooks were adopted
7. The availability of sufficient textbooks and other instructional materials, as determined pursuant to Education Code 60119, for each student, including English learners, in each of the areas of the core curriculum areas of reading/language arts, mathematics, science, and history/social science; world language and health; science laboratory equipment for grades 9 to 12, inclusive, as appropriate; and visual and performing arts

**SCHOOL ACCOUNTABILITY REPORT CARD (continued)**

If the Governing Board determines, pursuant to Education Code 60119, that there are insufficient textbooks or instructional materials, or both, it shall include information for each school in which an insufficiency exists, identifying the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area identified above.

8. The availability of qualified personnel to provide counseling and other student support services, including the ratio of academic counselors per student

9. Safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair

10. The annual number of school days dedicated to staff development for the most recent three-year period

11. Suspension and expulsion rates for the most recent three-year period

12. The Academic Performance Index, which is reflected in the California School Dashboard, including the disaggregation of student subgroups identified in Education Code 52052, the decile rankings, and a comparison of schools

13. Contact information for organized opportunities for parent/guardian involvement

14. For secondary schools, the percentage of graduates who have passed course requirements for entrance to the University of California and the California State University, including the course requirements for high school graduation pursuant to Education Code 51225.3, and the percentage of students enrolled in those courses, as reported by CBEDS

15. The number of advanced placement courses offered, by subject

16. Career technical education (CTE) data measures, including:
    a. A list of programs offered by the district that students at the school may participate in and are aligned to the model curriculum standards adopted pursuant to Education Code 51226 and program sequences offered by the district

       The list shall identify which courses are conducted by a regional occupational center or program and those that are conducted directly by the district.

    b. A list of the district's primary representative of the CTE advisory committee and the industries represented

**DISTRICT PHILOSOPHIES AND GOALS** **AR 0510**

**SCHOOL ACCOUNTABILITY REPORT CARD (continued)**

c. The number of students participating in CTE

d. The percentage of students that complete a CTE program and earn a high school diplom

e. The percentage of CTE courses that are sequenced or articulated between a school and postsecondary education schools

Additionally, each SARC shall also include the following information: (Education Code 41409.3)

1. The beginning, median, and highest salary paid to teachers in the district, as reflected in the district's salary scale

2. The average salary for school-site principals in the district

3. The salary of the Superintendent

4. The percentage expended for the salaries of administrative personnel, as specified

5. The percentage expended for the salaries of teachers

6. For Items #1-5 above, the statewide average in districts of the same size and type based on information provided by the State

Date Adopted: November 6, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1020**

## YOUTH SERVICES

The Governing Board desires to help all district students achieve to their highest potential regardless of their social, health, or economic circumstances and recognizes that schools alone cannot meet all the complex needs of children. The district shall provide support services for children and families to the extent possible and shall work with other local governments, businesses, foundations, and community-based organizations, as appropriate, to improve the health, safety, and well-being of the community's youth.
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5136 - Gangs)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.52 - Suicide Prevention)
(cf. 5141.6 - School Health Services)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

The Board shall encourage or may participate in collaborative relationships with city and county elected officials to design and coordinate multi-agency programs that respond to the needs of children and families and provide more efficient use of district and community resources.

The Board may establish or participate in formal structures for governance teams to regularly meet and discuss issues of mutual concern.
(cf. 0200 - Goals for the School District)
(cf. 9140 - Board Representatives)

The Superintendent and appropriate staff shall cooperate with public and private entities in the planning and implementation of joint projects or activities within the community. The Superintendent or designee may designate a coordinator to ensure effective implementation of the district's responsibilities in any such collaborative project.
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)

In order to identify priorities for youth services, the Board shall encourage a periodic assessment of children's needs within the community, which may include, but not be limited to, needs based on poverty, child abuse and neglect, poor physical or mental health, homelessness, placement in foster care, lack of access to child care, substance abuse, or violence. The needs assessment also should examine the extent to which those needs are being met through existing services in the district and in the community, the costs of providing those services, and any gaps, delay, or duplication of services.

**COMMUNITY RELATIONS** **BP 1020**

**YOUTH SERVICES (continued)**

The Board may approve the services to be offered by the district, the resources that will be allocated to support collaboration, any use of school facilities for services, and any development or joint use of facilities with other jurisdictions.
(cf. 1330 - Use of School Facilities)
(cf. 3100 - Budget)

All agreements with other agencies to coordinate services or share resources shall be in writing. The Board may establish joint powers agreements or memorandums of understanding, when feasible, to formalize the responsibilities and liabilities of all parties in a collaborative activity.

The Superintendent or designee shall work with interagency partners to explore funding opportunities available through each agency, state and national grant programs, and/or private foundations for youth service coordination and delivery.

In order to facilitate service delivery or determination of eligibility for services, the district may share information with other appropriate agencies with parent/guardian consent and in accordance with laws pertaining to confidentiality and privacy.
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5125 - Student Records)

The Board shall receive periodic reports of progress toward the identified goals of the collaborative effort. The reports may include, but not be limited to, feedback from staff and families regarding service delivery, numbers of children and families served, specific indicators of conditions of children, and indicators of system efficiency and cost effectiveness.
(cf. 0500 - Accountability)

The Board shall communicate with the community about the district's collaborative efforts and the conditions of children within the schools. The Board may advocate for local, state, and national policies, programs, and initiatives designed to improve the conditions of children and youth.
(cf. 1100 - Communication with the Public)
(cf. 1160 - Political Processes)
(cf. 9000 - Role of the Board)

**COMMUNITY RELATIONS** **BP 1020**

**YOUTH SERVICES (continued)**

Legal Reference:
*EDUCATION CODE*
*8800-8807 Healthy Start support services for children*
*49073 Privacy of student records*
*49075 Parent/guardian permission for release of student records*
*49557.2 Sharing of information for MediCal eligibility*
*HEALTH AND SAFETY CODE*
*120440 Immunization records; release to local health departments*
*130100-130155 Early childhood development; First 5 Commission*
*WELFARE AND INSTITUTIONS CODE*
*5850-5883 Mental Health Services Act*
*18961.5 Computerized database; families at risk for child abuse; sharing of information*
*18980-18983.8 Child Abuse Prevention Coordinating Council*
*18986-18986.30 Interagency Children's Services Act*
*18986.40-18986.46 Multidisciplinary services teams*
*18986.50-18986.53 Integrated day care program*
*18987.6-18987.62 Family-based services*

*Management Resources:*
*CSBA PUBLICATIONS*
*Expanding Access to High-Quality Preschool Programs: A Resource Guide for School Leaders, rev. April 2008*
*Educating Foster Youth: Best Practices and Board Considerations, Policy Brief, March 2008*
*Mental Health Services Act (Proposition 63): Collaborative Opportunity to Address Mental Health, Policy Advisory, October 2007*
*Maximizing School Board Governance: Community Leadership, 1996*
*CHILDREN NOW PUBLICATIONS*
*California Report Card: The State of the State's Children, 2008*
*CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS*
*Healthy Children, Healthy Communities: An Action Guide for California Communities, 2006*
*Stretching Community Dollars: Cities, Counties and School Districts Building for the Future, 2006*
*YOUTH LAW CENTER PUBLICATIONS*
*Model Form for Consent to Exchange Confidential Information among the Members of an Interagency Collaborative, 1995*
*WEB SITES*
*CSBA: http://www.csba.org*
*California Department of Education, Learning Support: http://www.cde.ca.gov/ls*
*California Department of Public Health: http://www.cdph.ca.gov*
*California Department of Social Services: http://www.dss.cahwnet.gov*
*California State Association of Counties: http://www.csac.counties.org*
*Children Now: http://www.childrennow.org*
*Cities, Counties and Schools Partnership: http://www.ccspartnership.org*
*First 5 California: http://www.ccfc.ca.gov*
*League of California Cities: http://www.cacities.org*
*Youth Law Center: http://www.ylc.org*

(9/90 10/96) 7/08

Date Adopted: December 9, 2015

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1100**

## COMMUNITY RELATIONS

The Board of Education believes that the maximum possible knowledge about goals, achievements, activities, and needs of its schools by the public, staff, and students is essential to the development of support and understanding for the educational program. As elected representatives of the people of the district, the Board recognizes its responsibility to provide a continuous and planned community relations program that will:

1. Demonstrate accountability to the public through published reports about goals and accomplishments of the school district.

2. Inform the public, staff, and students of policies, plans, programs, and problems in an accurate and timely manner.

3. Maintain a continuing network of internal and external communication that encourages the sharing of information and concerns between the Board and all members of the community, staff, and students.

4. Insure that the public and representatives of the news media have ready access to information.

5. Provide opportunities for input of citizens, teachers, and students into the decision making process.

6. Encourage Board and staff members, students, and parents to become well information about school operations and share that information with others.

7. Solicit the opinions and counsel of people in our community through community clubs, school advisory committees, or special committees appointed by the Board of Administration to study specific problems or needs.

Date Adopted: July 14, 1977

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1112**

## MEDIA RELATIONS

The Governing Board respects the public's right to information and recognizes that the media significantly influence the community's understanding of school programs. In order to develop and maintain positive media relations, the Board and the Superintendent desire to reasonably accommodate media requests for information and to provide accurate, reliable, and timely information. All media requests for information shall be directed to the office of the Superintendent.

Media representatives are welcome at all Board meetings and shall receive meeting agendas upon request.
(cf. 9322 - Agenda/Meeting Materials)

Media representatives, like all other visitors, shall register immediately upon entering any school building or grounds when school is in session.
(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)

Requests for Student Information

The District holds that student information is confidential and will be released only per federal, state, and local law. Parents/guardians may submit a letter to the Office of the Superintendent requesting that student information not be disclosed. This request must be renewed annually.

All requests for student information shall be directed to the office of the Superintendent. The district shall not release information beyond the scope of federal, state, and local law without express parental consent.
(cf. 1340 - Access to District Records)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 9010 - Public Statements)
(cf. 9321.1 - Closed Session Actions and Reports)

**COMMUNITY RELATIONS** **BP 1112**

**MEDIA RELATIONS (continued)**

Interviewing and Photographing Students
The district shall not impose restraints on students' right to speak freely with media representatives at those times which do not disrupt students' educational program. However, interviews of students may not create substantial disorder or impinge on the rights of others. Therefore, in order to minimize possible disruption, media representatives who wish to interview students at school are strongly encouraged to make prior arrangements with the principal. At their discretion, parents/guardians may instruct their children not to communicate with media representatives.
(cf. 5145.2 - Freedom of Speech/Expression)

In order to protect the privacy and safety of students, a media representative who wishes to photograph students on school grounds should first make arrangements with the principal or designee.

When interviewing or photographing a special education student, he/she shall not be identified as a special education student without prior, written parent/guardian permission.

Media Communications Plan
In order to help develop strong relations with the media, the Superintendent or designee shall develop a proactive media communications plan. This plan may include, but not be limited to, information related to district programs and needs, student awards, school accomplishments, and events of special interest.
(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
(cf. 1160 - Political Processes)

The plan shall specify the district's and/or site's primary media contact to whom all media inquiries shall be routed. Spokespersons designated to speak to the media on behalf of the district include the Board president and Superintendent. Other Board members and staff may be asked by the Superintendent or designee to speak to the media on a case-by-case basis, depending on their expertise on an issue.

The Superintendent or designee shall provide training on effective media relations to all designated spokespersons.
(cf. 9240 - Board Development)

**COMMUNITY RELATIONS** **BP 1112**

**MEDIA RELATIONS (continued)**

Crisis Communications Plan
During a disturbance or crisis situation, the first priority of school staff is to assure the safety of students and staff. However, the Board recognizes the need to provide timely and accurate information to parents/guardians and the community during a crisis. The Board also recognizes that the media have an important role to play in relaying this information to the public. In order to help ensure that the media and district work together effectively, the Superintendent or designee shall develop a crisis communications plan to identify communication strategies to be taken in the event of a crisis.
(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The crisis communications plan may include but not be limited to identification of a media center location, development of both internal and external notification systems, and strategies for press conference logistics.

The Superintendent or designee shall include local law enforcement and media representatives in the crisis planning process.

Legal Reference:
EDUCATION CODE
32210-32212 Willful disturbance of public school or meeting
35144 Special meetings
35145 Public meetings
35160 Authority of governing boards
35172 Promotional activities
EVIDENCE CODE
1070 Refusal to disclose news source
PENAL CODE
627-627.10 Access to school premises

COURT DECISIONS
Lopez v. Tulare Joint Union High School District, (1995) 34 Cal.App.4th 1302
ATTORNEY GENERAL OPINIONS
95 Ops.Cal.Atty.Gen. 509 (1996)

Management Resources:
CSBA PUBLICATIONS
911: A Manual for Schools and the Media During a Campus Crisis, 2001
WEB SITES
CSBA: http://www.csba.org

(9/92 10/96) 7/01

Date Adopted: May 7, 2008
Date Revised: October 3, 2012

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1113**

## DISTRICT AND SCHOOL WEBSITES

The Governing Board recognizes the value of district and school websites to communicate with students, parents/guardians, staff, and community members. The Superintendent or designee shall maintain district and school websites. The use of district and school websites shall support the district's vision and goals and be coordinated with other district communications strategies.

### Design Standards

The Superintendent or designee shall establish design standards for district and school websites in order to maintain a consistent identity, professional appearance, and ease of use.

The district's design standards shall address the accessibility of district and school websites to individuals with disabilities, including compatibility with commonly used assistive technologies.

### Website Content

The Superintendent or designee shall develop content guidelines for district and school websites and 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 websites.

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

The district regards photographs as a category of directory information that would not generally be considered harmful or an invasion of privacy if disclosed. Therefore, a student's photograph, together with the student's name, may be published on district or school websites unless the student's parent/guardian has notified the district in writing to not release the student's photograph without prior written consent, in accordance with Board Policy and Administrative Regulation 5125.1 - Release of Directory Information.

If students' names are not included, photographs of individual students or groups of students, such as at a school event, may be published on school or district websites.

Employees' home addresses, personal telephone numbers, and personal email addresses shall not be posted on district or school websites.

**DISTRICT AND SCHOOL WEBSITES (continued)**

The home address, telephone number, or both the name and assessor parcel number associated with the home address 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 websites without the prior written permission of that individual. (Government Code 3307.5, 7928.205, 7920.535)

No public safety official shall be required to consent to the posting on the Internet of the public safety official's photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or the officer's family. (Government Code 3307.5)

Date Adopted: March 7, 2012
Date Revised: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1113**

## DISTRICT AND SCHOOL WEBSITES

### Design Standards

The Superintendent or designee shall develop design standards for district and school websites that include, but are not limited to, guidelines to ensure the clear organization of the material, readability of the font type and size, and simplicity of the navigation structure linking the content on the website. Such standards shall take into consideration the ease of use on a wide range of devices.

In accordance with the requirements of the Americans with Disabilities Act, Section 504 of the federal Rehabilitation Act of 1973, and the associated federal regulations, district and school websites shall contain features that ensure accessibility for individuals with disabilities. Such features include, but are not limited to, captions for videos and multimedia presentations, text alternatives to images, provision of sufficient time to use the content, avoidance of flashing images, adequate contrast in visual presentations, and/or other features that meet applicable standards for website accessibility. The Superintendent or designee shall regularly review district and school websites and modify them as needed to ensure legal compliance with accessibility standards.

### Website Content

As applicable, district and school websites shall provide current information regarding the district's mission and goals, district/school programs and operations, district/school news, agendas and minutes of Governing Board 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 website to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on district or school websites provided that both the student and the student's parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

Any copyrighted material to be posted on a district or school website shall first be submitted to the Superintendent or designee together with the permission of the copyright owner to reprint the material. Any copyrighted material submitted without the copyright owner's permission shall only be posted on a district or school website if the Superintendent or designee determines that the material is in the public domain or that the intended use meets the criteria for fair use or another exception pursuant to 17 USC 107-122. When any copyrighted material is posted, the website shall include a notice crediting the copyright owner and, as necessary, shall note that permission to reprint the material was granted.

Whenever a district or school website includes links to external websites, it shall include a disclaimer

that the district is not responsible for the content of external websites.

**Roles and Responsibilities**

Any employee assigned as a district or school webmaster shall be responsible for the uploading of material to the website(s) upon approval of the Superintendent or designee. The employee shall review district and school websites to ensure consistency 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 editorial reviews of all materials submitted for publication on district or school websites 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.

Date Adopted: March 7, 2012
Date Revised: September 4, 2013, September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1114**

## DISTRICT-SPONSORED SOCIAL MEDIA

The Governing Board recognizes the value of social media to share district information with families and the community and promote community involvement and collaboration in district decisions. The purpose of any official district social media account shall be to further the district's vision and mission, to support student learning and staff professional development, and to enhance communication and engagement with students, families, staff, and community members. The Superintendent or designee shall ensure that the content posted by the district on an official district social media account is accessible to individuals with disabilities.

The Superintendent or designee shall develop content guidelines and protocols for official district social media accounts to ensure public access, appropriate and responsible use, and compliance with law, Board policy, and administrative regulation.

### Guidelines for Content

Official district social media accounts shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. This policy is not intended to create an open public forum or otherwise guarantee an individual's right to free speech on any of the official district social media accounts even if one or more features on the account that permit interaction with and between members of the public are enabled.

The Superintendent or designee shall ensure that the limited purpose of the official district social media accounts is clearly communicated to users. Each account shall contain a statement specifying the purposes of the account that the account shall only be used for such purposes, and any other user expectations or conditions as specified in the accompanying administrative regulation.

Content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation shall not be permitted on official district social media accounts.

Staff or students who post on, reply from, or otherwise use an official district social media account in a manner that violates board policies and administrative regulations shall be subject to discipline in accordance with applicable policies and regulations.

Users of official district social media accounts, and anyone who posts on, replies to, or otherwise leaves a digital footprint on an official district social media account, should be aware of the public nature and accessibility of social media and that such information posted on, replied with, or otherwise left on an official district social media account may be considered a public record subject to disclosure under the Public Records Act.

**COMMUNITY RELATIONS** **BP 1114**

**DISTRICT-SPONSORED SOCIAL MEDIA (continued)**

**Privacy**

To the extent practicable, the Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on official district social media accounts.

As it pertains to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, official district social media accounts shall comply with Board Policy 1113- District and School Websites.

Social media and other online platforms shall not be used by district employees to transmit confidential information about students, employees, or district operations.

Date Adopted: November 1, 2017
Date Revised: December 18, 2024, December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1114**

## DISTRICT-SPONSORED SOCIAL MEDIA

### Definitions

*Social media* means any online platform for collaboration, interaction, or active participation, or that allows users to post content, including, but not limited to, social networking sites such as Instagram, TikTok, Facebook, X/Twitter, SnapChat, YouTube, and LinkedIn.

An official district social media account is an account on a social media platform authorized by the Superintendent or designee.

An account that contains content related to the district or comments about district operations but that has not been created based on authorization or direction from the Superintendent or designee, such as an account created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal account, is not an official district social media account.

School-level employees such as teachers and coaches shall obtain authorization from the school principal before creating an official social media account.

When directed by the Superintendent or designee, each school principal, or an individual in a position of similar responsibility. Shall register as a verified reporter with each large social media platform on which the applicable school has an account in accordance with Business and Professions Code 22588.2-22588.4.

### Guidelines for Content

Each official district social media account shall contain content that is useful and appropriate for all audiences.

District employees or agents in charge of posting or adding information to an official district social media account shall ensure that copyright laws are not violated in the use of material on official district social media accounts.

The Superintendent or designee shall ensure that official district social media accounts are regularly monitored. Staff members responsible for monitoring content may remove posts or even suspend users from interacting with the account only based on viewpoint-neutral considerations, such as lack of relation to the account's purpose or violation of board policies or administrative regulations.

If a verified reporter becomes aware of a social media-related threat or a violation of a social media platform's terms of service that, in the opinion of the reporter, poses s risk or severe risk to the health and safety of a minor who the reporter knows is enrolled in the reporter's school, the reporter

**DISTRICT-SPONSORED SOCIAL MEDIA (continued)**

shall inform the Superintendent or designee and report the threat or violation via the process created by the applicable social media platform as specified in Business and Professions Code 22588.2-22588.4

Each official district social media account shall, as appropriate, prominently display a link to this regulation or a statement that includes items #1-10, below:

1. The purpose(s) of the account, such as providing information to a class, school community, athletic team, or student club; engaging with the public regarding district decisions and Governing Board meetings; and sharing information regarding employment opportunities with the district.
2. Users shall use the site only for those intended purposes
3. The account is regularly monitored and any inappropriate interaction will be promptly removed, blocked, or similarly addressed.
   Inappropriate interactions include, but are not limited to, interactions that:
   a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on district premises, violation of district or school rules, or substantial disruption of the district or school's orderly operation
   b. Are not related to the stated purpose of the account, including, but not limited to, threats, comments of a commercial nature, political activity, and comments prohibited by board policies and administrative regulations

4. Users are expected to communicate in a respectful, courteous, and professional manner and are personally responsible for their use of the account

5. The district is not responsible for the content posted by other users or how other users interact with the account

6. The views and comments expressed by other users on the account belong to those users and do not necessarily reflect the views of the district

7. Any user's reference to a specific commercial product or service does not imply endorsement or recommendation of that product or service by the district

8. The individual(s) to contact regarding violation of district guidelines on the use of official district social media accounts

9. Violations may be reported to the appropriate social media platform, law enforcement, or other third parties, as appropriate

**DISTRICT-SPONSORED SOCIAL MEDIA (continued)**

10. A user may be suspended from interacting with the account for one month upon three prior violations and for six months upon two prior one-month suspensions

**Appropriate Use by District Employees**

District employees who participate in official district social media accounts shall adhere to all applicable board policies and administrative regulations, such as Board Policy 1312-Civillity and Board Policy/Administrative Regulation 4119.25 Political Activities of Employees, and shall not share confidential information about students, employees, Board members, or district operations.

When appropriate, employees posting, replying, or otherwise interacting with the public outside of their professional duties or responsibilities on official district social media accounts shall identify themselves by name and district title and include a disclaimer stating that the views and opinions expressed in their post are theirs alone and do not necessarily represent those of the district or school.

All staff shall receive information about appropriate use of the official district social media accounts.

Date Adopted: November 1, 2017
Date Revised: December 18, 2024, December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1190**

**PUBLIC INPUT**

The Enterprise Board of Education represents the people who live in the Enterprise School District and wishes to be receptive to their input. Members of the public are invited and encouraged to attend board meetings.

Near the beginning of each open session, the President of the Board will allow any individual or group representative to address the board on any subject not covered by an item on the agenda.

A second formal opportunity to address the board will be provided at the end of each agenda under "Items from the Floor."

Additional opportunities will be given for the public to comment on various agenda items as the items are being discussed.

The Board of Education may take testimony at any regular scheduled meeting on matters which are not on the agenda which any member of the public may wish to bring before the board. The board will not take action on any item which has not been placed on the agenda with the appropriate advance notice.

Any member of the public will have an opportunity to request that matters related directly to the Enterprise School District be place on the agenda of the District's Governing Board Meeting. Such requests may be made directly to the Superintendent or to the Board of Education at the time of their meetings. A determination will then be made when the item can appropriately be placed on an agenda for action and the individual informed of the date the matter is to be considered. Once the item is placed on the agenda for consideration, the matter will be handled in accordance with law, Board Policy and practice, and Robert's Rules of Order.

This requirement is intended to provide reasonable procedures to ensure the proper functioning of the Governing Board meetings while, at the same time, providing for adequate consideration of any matter which members of the public may wish to bring to the board's attention.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1190**

**PUBLIC INPUT (continued)**

An individual who wishes to address the board on any matter is requested to seek the appropriate recognition of the President of the Board and to give their name. As a courtesy, the individual may also wish to provide the board his/her address and also to note whether he/she is speaking as an individual or representing a group. In most instances, this information would be provided at the option of the individual addressing the board. In specific instances, however, it would be the board's option to require this information in a confidential, written manner if it is necessary to determine whether the person addressing the board is actually a constituent of the Enterprise School District. The board also reserves the right to limit the time allocated to each individual and the number of times any individual is allowed to address the board on any given subject.

Complaints about school employees cannot be presented to the board during oral communications. Complaints should be presented to the board in writing and signed by the person or group making the charges.

*Legal Reference:*
*Education Code #35145.5*

Date Adopted: March 1, 1979
Date Revised: March 19, 1981

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1200**

## NAMING SCHOOLS

The naming of a school facility or any part thereof shall be the prerogative of the Governing Board.

Schools shall be named after the geographic area in which the school is located, a street on which the school is located (*i.e.,* Mistletoe), or a name signifying the North State (*i.e.,* Lassen View).

Date Adopted: March 5, 1987

**ENTERPRISE ELEMENTARY SCHOOL DSTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1220**

## EDUCATIONAL FOUNDATION

Because demands on the educational system exceed available public funding, the Governing Board recognizes that members of the community are often willing to make voluntary contributions that will provide needed additional funds for the school district. The Board therefore approves and encourages the creation of an independent educational foundation to actively raise funds that will enhance educational opportunities for our students.

The Board desires to work cooperatively with the foundation in determining the purposes for which funds may be used to meet the changing needs of the district and its students.

The Board supports foundation allocations that serve all district schools equitably.

Board Adopted: April 13, 1999

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1230**

## SCHOOL-CONNECTED ORGANIZATIONS

The Governing Board recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting district and extracurricular programs, such as athletic teams, musical/fine arts groups, or other student body activities. The Board appreciates the contributions made by such organizations and encourages their interest and participation in supporting district activities and helping to achieve the district's vision for student learning.

(cf. 6020 - Parent Involvement)

The Board recognizes that school-connected organizations are separate legal entities, independent of the district. However, in order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, any school-connected organization that desires to raise money to benefit any district student shall submit a Request for Authorization to the site administrator, in accordance with Board policy and administrative regulation. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the district.

The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program. School-connected organizations shall consult with the principal to determine school needs and priorities. Activities by school-connected organizations shall not conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school.

(cf. 3554 - Other Food Sales)
(cf. 5030 - Student Wellness)

*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*
*49431 Sale of food to elementary students during the school day*
*49431.2 Sale of food to middle, junior, or high school students*
*49431.5 Sale of beverages at elem., middle, or junior high schools*
*51520 Prohibited solicitation on school premises*
*51521 Fund-raising project*
*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*
*CODE OF REGULATIONS, TITLE 11*
*300-312.1 Fundraising for charitable purposes*
*UNITED STATES CODE, TITLE 20*
*1681-1688 Discrimination based on sex or blindness, Title IX*
*COURT DECISIONS*
*Serrano v. Priest, (1976) 18 Cal. 3d 728*
*Management Resources:*
*CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES*
*1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89*
*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*

Board Adopted: November 7, 2007

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1230**

## SCHOOL-CONNECTED ORGANIZATIONS

Persons proposing to establish a school-connected organization shall submit a request to the site administrator for authorization to operate at the school. The request for authorization shall contain:

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 inspect and/or audit the group's financial records at any time, by either district personnel or a certified public accountant
7. The name of the bank where the organization's account will be located and the names of those authorized to withdraw funds
8. The signature of the club/organization officer and principal of the supporting school
9. A club/organization officer shall report to the principal, not later than 30 days after the last day of school, in writing, the remaining account balance(s) and intended use of those funds.
10. An agreement to provide evidence of liability insurance as required by law, said policy to be a general liability policy with a minimum coverage of one million dollars, and the Enterprise Elementary School District shall be explicitly named as an additional insured.
    (cf. 1330 - Use of School Facilities)

The club/organization is required to maintain cash reserves sufficient to cover any deductibles as identified by the insurance carrier.

**COMMUNITY RELATIONS** **AR 1230**

**SCHOOL-CONNECTED ORGANIZATIONS (continued)**

Requests for subsequent authorization shall be presented to the site administrator annually, 10 days following the election or appointment of new officers, any changes in current officers, and signatories on accounts, along with a financial statement showing all income and expenditures from fund-raisers. If the site principal denies the request for reauthorization, the applicant may submit the request to the Superintendent on appeal.

Upon consent of the site administrator, school-connected organizations may use the school's name, school team's name, or any logo attributable to the school or district.

School-connected organizations are prohibited from hiring or directly paying district employees. Organizations may donate to the district to cover the costs of additional employees, but only if such positions are approved in advance by the Superintendent. At their discretion, employees may volunteer to perform activities for school-connected organizations during non-working hours.

Board Adopted: November 7, 2007

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1240**

## VOLUNTEER ASSISTANCE

The Governing Board recognizes that volunteer assistance in schools can enrich the educational program, increase supervision of students, contribute to school safety, and support the district in providing for the well-being of district students, while strengthening the schools' relationships with the community. The Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

The Superintendent or designee shall develop and implement a plan for recruiting, screening, and placing volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. Additionally, the Superintendent or designee may recruit community members to serve as mentors to students and/or make appropriate referrals to community organizations.

The Board prohibits harassment of any volunteer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, reproductive health decision making, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status. (GC 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.

Additionally, volunteers who are over 18 years of age and who interact with students outside of the immediate supervision and control of the student's parent/guardian or a school employee shall, as mandated reporters, receive the notification and training required of mandated reporters as specified in Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting.

A volunteer who is a mandated reporter shall make a report, as specified in Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting, whenever such volunteer has knowledge of or observes a child whom the volunteer knows or reasonably suspects has been the victim of child abuse or neglect.

Volunteers shall act in accordance with law, district policies and administrative regulations, including Board Policy and Administrative Regulation 4119.24 - Maintaining Appropriate Adult-Student Interactions, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

Employees 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 work shall be limited to those projects that do not replace the normal duties of classified staff.

**COMMUNITY RELATIONS** **BP 1240**

**VOLUNTEER ASSISTANCE (continued)**

The Board nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school and comply with collective bargaining 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.

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

The Superintendent or designee may periodically report to the Board regarding the district's volunteer assistance program.

**Workers' Compensation Insurance**

The Board 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)

Date Adopted: September 1, 1977
Date Revised: August 18, 1988, June 11, 2009, September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1240**

## VOLUNTEER ASSISTANCE

### Duties of Volunteers

The Superintendent or designee may assign volunteers to:

1. Assist certificated personnel in the performance of their duties, including in the supervision of students 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 a person not licensed as a classroom teacher (EC 35021, 45343, 45344, 45349)

2. Serve as nonteaching aides under the immediate supervision and direction of certificated personnel to perform noninstructional work which assists certificated personnel in the performance of teaching and administrative responsibilities (EC 35021)

3. Supervise students during lunch, breakfast, or other nutritional periods (EC 35021, 44814, 44815)

4. Work on short-term facilities projects pursuant to "Volunteer Facilities Projects," below

5. 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. (EC 35021, 45344)

### Basic Skills Proficiency Requirement

Volunteers who supervise or provide instruction to students pursuant to Education Code 45349 shall submit evidence of basic skills proficiency to the Superintendent or designee. (EC 45344.5, 45349)

### Criminal Background Check

Prior to assuming a volunteer position working with students in a district-sponsored student activity program, a volunteer shall obtain fingerprint clearance through the Department of Justice and Federal Bureau of Investigation. Student activity programs include, but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by the district or a school booster club, such as cheer team, drill team, dance team, and marching band. (EC 49024)

The Superintendent or designee shall determine which volunteer positions in the district are subject to the above requirement.

**VOLUNTEER ASSISTANCE (continued)**

The criminal background check requirement shall not apply to volunteer supervisors for breakfast, lunch, or other nutritional periods or to volunteer nonteaching aides under the immediate supervision and direction of certificated personnel pursuant to Education Code 35021, including parents/guardians volunteering in a classroom or on a field trip or community members providing noninstructional services. (EC 49024)

**Registered Sex Offenders**

The Superintendent or designee may 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 website.

The principal may grant a registered sex offender, who is not the parent/guardian of a student at the school, permission to come into a school building or upon school grounds to volunteer at the school. At least 14 days prior to the first date for which permission has been granted, the principal or designee shall notify the parent/guardian of each student at the school, using one of the methods specified in Education Code 48981, that a person who is required to register as a sex offender pursuant to Penal Code 290 has been granted permission to come into a school building or upon school grounds, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. (Penal Code 626.81)

However, no person who is required to register as a sex offender pursuant to Penal Code 290 shall be assigned as a volunteer to assist certificated personnel in the performance of their duties; supervise students during lunch, breakfast, or other nutritional period; or serve as a nonteaching aide to perform noninstructional tasks. Additionally, a person who is required to register as a sex offender because of a conviction for a crime when the victim was a minor under 16 years of age shall not serve as a volunteer in any capacity in which the volunteer would be working directly and in an unaccompanied setting with minors on more than an incidental and occasional basis or have supervision or disciplinary power over minors. (EC 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 the volunteer has submitted to a tuberculosis risk assessment and, if tuberculosis risk factors were identified, was examined and found to be free of infectious tuberculosis. (EC 49406)

The Superintendent or designee may exempt from the tuberculosis risk assessment and/or examination those volunteers whose functions do not require frequent or prolonged contact with students. (EC 49406)

**COMMUNITY RELATIONS** **AR 1240**

**VOLUNTEER ASSISTANCE (continued)**

**Volunteer Facilities Projects**

All volunteer facilities projects shall have approximate start and completion dates and shall be approved by the principal in advance. Additionally, projects shall be approved in advance by the Superintendent or designee if they involve the following types of work:

1. Alterations, additions, or repairs to buildings and grounds
2. Construction involving wall or roof penetration, drilling, or nailing
3. Structural modifications
4. Electrical, electronic, plumbing, or heating and cooling work
5. Painting
6. Installation of carpet, playground equipment, benches, sprinkler systems, marquees or signs
7. Paving
8. Tree planting, pruning, or removal

The Superintendent or designee shall ensure that volunteers possess the appropriate license and/or have sufficient expertise required for the project. Additionally, the Superintendent or designee shall ensure that such projects comply with building and safety codes and other applicable laws and collective bargaining agreements. The district shall provide on-site assistance and supervision for such projects as necessary.

Date Adopted: August 5, 1998
Date Revised: June 11, 2009, September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **BP 1250**

## VISITORS/OUTSIDERS

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

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.
(cf. 6116 - Classroom Interruptions)

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 a 24-hour advance written request and the teacher's and principal's written permission. (EC 51512)

The Board 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.
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3515.2 - Disruptions)

**COMMUNITY RELATIONS** **BP 1250**

**VISITORS/OUTSIDERS (continued)**

Presence of Sex Offender on Campus

Any person who is required to register as a sex offender pursuant to Penal Code 290, 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.

The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (PC 626.81)

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
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)

(7/10 3/12) 12/14

Date Adopted: November 6, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1250**

## VISITORS/OUTSIDERS

The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (EC 32211; Penal Code 627.6)

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

Registration Procedure

In order to register, a visitor shall, upon request, furnish the principal or designee with the following information: (PC 627.3)

1. His/her name, address, and occupation
2. His/her age, if less than 21
3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Principal's Registration Authority

The principal or designee may refuse to register any visitor if he/she reasonably concludes that the individual'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 any visitor's registration if he/she has a reasonable basis for concluding that the individual'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. (PC 627.4)
(cf. 3515.2 - Disruptions)
(cf. 3515.3 - District Police/Security Department)

When a visitor fails to register, or when the principal or designee denies or revokes a visitor's registration privileges, the principal or designee may request that the individual promptly leave school grounds. When a visitor is directed to leave, the principal or designee shall inform him/her that if he/she reenters the school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (PC 627.7)

**COMMUNITY RELATIONS** **AR 1250**

**VISITORS/OUTSIDERS (continued)**

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. (PC 627.5)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

(6/96 10/96) 7/10

Date Adopted: November 6, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1312.1**

## COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The Governing Board recognizes its accountability to the public for the quality of the district's educational program and the performance of district employees. The district shall provide a process by which a complaint submitted by any person regarding an employee can be resolved impartially, expeditiously, and with minimal disruption to district operations and the educational program.

When a concern regarding an employee is presented during a Board meeting or to an individual Board member or employee outside of a Board meeting, the complainant shall be informed of the appropriate complaint procedure.

Any complaint regarding the Superintendent shall be initially filed in writing with the Board. The Board shall consult with legal counsel or appoint an appropriate agent to conduct the investigation.

The Superintendent or designee shall determine whether a complaint against any other employee should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures. Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law and BP 5141.4 - Child Abuse Prevention and Reporting. Any complaint alleging that an employee engaged in unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) in district programs and activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures. Any complaint by an employee, job applicant, volunteer, intern, or independent contractor alleging unlawful discrimination or harassment by an employee shall be filed in accordance with AR 4030 - Nondiscrimination in Employment.

Any complaint subject to this policy and the accompanying administrative regulation shall be investigated by the principal, the employee's immediate supervisor, the Superintendent or designee, legal counsel, agent of the Board, and/or other appropriate person who is not the subject of the complaint or subordinate to the employee charged in the complaint. The complainant and the employee shall have an opportunity to present information relevant to the complaint.

A complaint that is filed anonymously may be investigated by the Superintendent or designee depending on the specificity and reliability of the information.

If a complainant requests confidentiality, the Superintendent or designee shall inform the complainant that the request may limit the district's ability to investigate the employee's conduct or take other necessary action. However, the Superintendent or designee shall take all reasonable steps to investigate and resolve the complaint without divulging the complainant's identity.

The Board prohibits retaliation against complainants.

### Appeals

If either the complainant or the employee submits an appeal of the Superintendent's decision to the Board, the Board shall determine whether to uphold the Superintendent's decision without hearing the complaint, appoint an appeals committee to advise the Board, or hear the appeal itself.

**COMPLAINTS CONCERNING DISTRICT EMPLOYEES (continued)**

If the Board decides to hear the complaint, the matter shall be addressed in closed session in accordance with Government Code 54957 unless the employee requests that it be heard in open session. The Board shall review the original complaint and additional information provided by the Superintendent or designee regarding the steps taken to resolve the issue.

The Board's decision shall be final.

Date Adopted: May 29, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1312.1**

## COMPLAINTS CONCERNING DISTRICT EMPLOYEES

Every effort should be made to resolve complaints regarding district employees at the earliest possible stage. Any person who complains about a district employee shall be encouraged to resolve the matter informally through direct communication with the employee whenever possible.

If a complainant is unable or unwilling to resolve the complaint directly with the employee, the complainant may submit a written complaint to the principal or other immediate supervisor of the employee. Complaints related to a principal or district administrator shall be initially filed in writing with the Superintendent or designee. If the complainant is unable to prepare the complaint in writing, administrative staff shall provide assistance in the preparation of the complaint.

A written complaint shall include the full name of the employee involved, a brief but specific summary of the complaint and the facts surrounding it, and a description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.

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

1. When a written complaint is received, the employee who is the subject of the complaint shall be notified within five days or in accordance with the collective bargaining agreement.

2. The principal or other immediate supervisor of the employee shall investigate and attempt to resolve the complaint to the satisfaction of the parties involved within 30 days. A complaint against a school or district administrator shall be investigated by the Superintendent or designee. The investigation may include interviews of the employee, complainant, or witnesses as necessary and/or a review any documentation relevant to the complaint.

3. Both the complainant and employee shall be notified in writing of the final decision regarding the resolution of the complaint.

4. Either the complainant or the employee against whom the complaint was made may appeal the decision. A decision by the principal or immediate supervisor may be appealed to the Superintendent or designee, who shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days. Either the complainant or the employee may appeal the Superintendent's decision to the Governing Board.

5. If the decision is appealed to the Board, the Superintendent or designee shall submit to the Board the following information:

    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 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 and the reasons that the problem has not been resolved

**COMPLAINTS CONCERNING DISTRICT EMPLOYEES (continued)**

Date Adopted: May 29, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1312.2**

## COMPLAINTS CONCERNING INSTRUCITONAL MATERIALS

In adopting textbooks and other instructional materials for use in district schools, the Governing Board uses a comprehensive process that may include opportunities for the involvement of district staff, parents/guardian, and community members, and, as appropriate, students. In accordance with law, textbooks and instructional materials adopted for district use shall be factually accurate, aligned with adopted curriculum and standards described in law, and consistent with accepted standards of professional responsibility, rather that advocacy, personal opinion, bias, or partisanship.

Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be investigated and addressed in accordance with this Board policy and accompanying administrative regulation. Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their student'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 form staff, district, residents, or the parents/guardians of students enrolled in a district school. (EC 35160).

However, a complaint alleging discriminatory bias in instructional materials or related to the use or prohibited use of any existing textbook, instructional material, supplemental instructional; supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library that alleges unlawful discrimination based on a violation of Education Code 243 or 244 shall be filed, investigated, and resolved in accordance with Board Policy 1312.3 Uniform Complaint Procedures

When deliberating upon challenged materials, the Superintendent, or any designee, or committee established by the Superintendent to review the materials, shall consider the degree to which the materials align with the criteria for instructional materials as specified in law, Board policy, and administrative regulation. Additionally, such deliberations may consider the educational philosophy and vision of the district; the educational suitability of the materials including the manner in which the materials support the curriculum and appropriateness for the student's age; the professional opinions of teachers of the subject and of other competent authorities and/or experts; reviews of the materials by reputable bodies; the stated objectives in using the materials; community standards; the allegations in the complaint, including the extent to which, the objectives are based on the dislike of ideas contained in the materials; and the impact that keeping or removing the materials would have on student well-being.

The Superintendent, or any designee or committee established by the Superintendent to review the materials, shall not prohibit the continued use of an appropriately adopted textbook, instructional material, supplemental instructional material, or other curriculum for classroom

**COMMUNITY RELATIONS** **BP 1312.2**

**COMPLAINTS CONCERNING INSTRUCITONAL MATERIALS (continued)**

Instruction, or any book or other resource in a school library on the basis that is contains diverse perspectives, as specified in Education Code 243.

Additionally, the Superintendent, or any designee or committee established by the Superintendent to review the materials, shall not authorize the continued use of an adopted textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination pursuant to Education Code 220.

If the complainant finds the Superintendent's or review committee's decision unsatisfactory, the complainant may appeal the decision to the Board.

Any challenged instructional material that is reviewed by the district shall not be subject to further reconsideration for 12 months, unless required by law.

Complaints related to the sufficiency of textbooks or instructional materials shall be resolved as specified in Administrative Regulation 1312.4 Williams Uniform Complaint Procedures.

Date Adopted: February 2, 2005

Date Revised: August 2, 2006, October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1312.2**

## COMPLAINTS CONCERNING INSTRUCITONAL 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, such individual shall informally discuss the material in question with the principal. (EC 35160)

**Step 2: Formal Complaint**
If the complainant is not satisfied with the principal's initial response, the complainant 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 and location of such material shall be given. In order for the district to reply appropriately, complainants shall sign all complaints and provide identifying information. Anonymous complaints will not be accepted.

Upon receiving a complaint, the principal shall provide the complainant with a written acknowledgement of its receipt and respond to any procedural questions the complainant may have. The principal shall then notify the Superintendent or designee, the teacher(s), and other staff as appropriate.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached.

**Step 3: Review Committee**
The Superintendent or designee shall determine whether to convene a review committee to review the complaint.

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

The Superintendent or designee may provide training to the review committee to ensure that the review committee is informed regarding its responsibilities, the criteria to follow when reviewing instructional materials, and applicable laws, Board policy(ies), and administrative regulation(s).

Within 30 calendar days of being convened, the review committee shall summarize its findings in a written report, unless the review committee shows good cause for requiring additional time to file its

report. The Superintendent or designee shall notify the complainant in writing of the committee's decision within 15 calendar days of receiving the committee's report.

**Step 4: Superintendent Determination**
If the Superintendent or designee determines that a review committee is not necessary, the Superintendent or designee shall, in a timely manner, issue a decision regarding the complaint.

**Step 5: Appeal to the Governing Board**
If the complainant remains unsatisfied, the complainant may appeal the Superintendent's or review committee's decision to the Governing Board. The Board's decision shall be final.

Nothing in the steps above preclude parents/guardians from opting a student out of specified instructional content in accordance with any applicable Board policy or administrative regulation.

Date Adopted: February 2, 2005

Date Revised: August 2, 2006, May 28, 2025, October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1312.3**

## UNIFORM COMPLAINT PROCEDURES

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

### Complaints Subject to UCP

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

1. Accommodations for pregnant and parenting students (EC 46015)

2. Adult education programs (EC 8500-8538, 52334.7, 52500-52617)

3. After School Education and Safety programs (EC 8482-8484.65)

4. Agricultural career technical education (EC 52460-52462)

5. Career technical and technical education and career technical and technical training programs (EC 52300-52462)

6. Child care and development programs (EC 8200-8488)

7. Compensatory education (EC 54400)

8. Consolidated categorical aid programs (EC 33315; 34 CFR 299.10-299.12)

9. Course periods without educational content (EC 51228.1-51228.3)

10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, physical or mental disability, medical condition, or genetic information; any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55; or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

    Discrimination includes, but is not limited to, the Board's refusal to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other

**UNIFORM COMPLAINT PROCEDURES (continued)**

curriculum for classroom instruction, or any book or other resource in a school library, on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. Additionally, discrimination includes, but is not limited to, the Board's adoption or approval of use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library if the use would subject a student to unlawful discrimination pursuant to Education Code 220. A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI). (EC 243, 244)

The UCP shall not be used to investigate and resolve employment discrimination complaints. (5 CCR 4611)

11. Educational and graduation requirements for students in foster care, students experiencing homelessness, students from military families, students formerly in a juvenile court school, students who are migratory, and newcomer students (EC 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

12. Every Student Succeeds Act (EC 52059.5; 20 USC 6301 et seq.)

13. Local control and accountability plan (EC 52075)

14. Migrant education (EC 54440-54445

15. Physical education instructional minutes (EC 51210, 51222, 51223)

16. Student fees (EC 49010-49013)

17. Reasonable accommodations to a lactating student (EC 222)

18. Regional occupational centers and programs (EC 52300-52334.7)

19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (EC 64001)

20. School site councils as required for the consolidated application for specified federal and/or state categorical funding (EC 65000)

## UNIFORM COMPLAINT PROCEDURES (continued)

21. State preschool programs (EC 8207-8225)

22. State preschool health and safety issues in license-exempt programs (EC 8212)

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

24. Any other state or federal educational program the SPI or designee deems appropriate

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

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

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

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

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

### Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

**UNIFORM COMPLAINT PROCEDURES (continued)**

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency (5 CCR 4611)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services (5 CCR 4611)

3. Any complaint alleging that a student, while in an education program or activity, was subjected to conduct known to the district that may reasonably constitute sex discrimination under Title IX, including sex-based harassment, as defined in 34 CFR 106.2

   Discrimination on the basis of sex includes sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. Such a complaint shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures. (34 CFR 106.2, 106.10, 106.11, 106.44)

4. Except for complaints alleging sex discrimination, including sex-based harassment, any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in Administrative Regulation 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Civil Rights Department

   Employment complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved as specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with Administrative Regulation 6159.1 - Procedural Safeguards and Complaints for Special Education (5 CCR 3200-3205)

6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with Board Policy 3555 - Nutrition Program Compliance (5 CCR 15580-15584)

**UNIFORM COMPLAINT PROCEDURES (continued)**

7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with Board Policy 3555 - Nutrition Program Compliance (5 CCR 15582)

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

Date Adopted: October 6, 2004

Date Revised: January 5, 2005, August 2, 2006, June 20, 2012, October 3, 2012, November 7, 2012, August 7, 2013, April 1, 2015, August 3, 2016, August 2, 2017, May 23, 2018, May 29, 2019, August 5, 2020, June 15, 2022, September 4, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1312.3**

## UNIFORM COMPLAINT PROCEDURES

Except as may otherwise be specifically provided in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

### Compliance Officers

The district designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 – Sex Discrimination and Sex-Based Harassment for handling complaints regarding sex discrimination and sex-based harassment.

HR Director, 1155 Mistletoe Lane, Redding, California 96002, Phone :(530) 224-4100, hr@eesd.net

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent if another compliance officer is assigned to the complaint.

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

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

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

## UNIFORM COMPLAINT PROCEDURES (continued)

### Notifications

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

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

**The notice shall include:**

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in "Complaints Subject to UCP" in the accompanying Board policy

2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate

3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred

4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct

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

6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint

**UNIFORM COMPLAINT PROCEDURES (continued)**

7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, students experiencing homelessness, children of military families, former juvenile court school students now enrolled in the district, students who are migratory, and newcomer students as specified in EC 48645.7, 48853, 48853.5, 51225.3, and 51225.2 and the complaint process.

8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant

9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board Policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision.

10. A statement advising the complainant of any civil law remedies, including but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable

11. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 and 34 CFR 106.8 shall be posted on the district and district school websites, published in handbooks, catalogs, announcements, bulletins, and application forms, and may be provided through district-supported social media, if available.

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

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

## UNIFORM COMPLAINT PROCEDURES (continued)

### Filing of Complaints

The complaint shall be presented to the compliance officers who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints, except for those that allege sex discrimination, including sex-based harassment, shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board Policy may be filed by any individual, public agency, or organization. (5 CCR 4600)

2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance.

   A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.

3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. (5 CCR 4630)

   For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)

4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)

**UNIFORM COMPLAINT PROCEDURES (continued**

5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination (5 CCR 4630)

   The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action.

   When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

**Mediation**

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

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

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

## UNIFORM COMPLAINT PROCEDURES (continued)

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

### Investigation of Complaint

The compliance officer shall begin an investigation into the complaint within 10 business days of receiving the complaint.

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

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

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

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

## UNIFORM COMPLAINT PROCEDURES (continued)

### Timeline for Investigation Report

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, or bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant.

### Investigation Report

For all complaints, the district's investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered

2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law

3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600

4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610

5. Procedures to be followed for initiating an appeal to CDE

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

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

If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

## UNIFORM COMPLAINT PROCEDURES (continued)

For complaints alleging unlawful discrimination, harassment, intimidation, or bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE. (EC 262.3)

2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (EC 262.3)

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination

### Corrective Actions

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

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling

2. Academic support

3. Health services

4. Assignment of an escort to allow the victim to move safely about campus

5. Information regarding available resources and how to report similar incidents or retaliation

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim

7. Restorative justice

8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

## UNIFORM COMPLAINT PROCEDURES (continued)

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

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

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

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

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

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (EC 49013, 51222, 51223, 51228.3, 52075)

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

### Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632)

**UNIFORM COMPLAINT PROCEDURES (continued)**

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures
2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the district's investigation report
3. 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
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

## UNIFORM COMPLAINT PROCEDURES (continued)

### Health and Safety Complaints in License-Exempt Preschool Programs

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE website. (EC 8212; 5 CCR 4691)

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (EC 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution.

The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (EC 8212; 5 CCR4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (EC 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (EC 8212; 5 CCR 4692)

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

**UNIFORM COMPLAINT PROCEDURES (continued)**

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing within 30 days of the date the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (EC 8212; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

(3/18 3/19) 5/20

Date Adopted: October 6, 2004

Date Revised: August 2, 2006, June 20, 2012, October 3, 2012, November 7, 2012, August 7, 2013, April 1, 2015, August 3, 2016, August 2, 2017, May 23, 2018, May 29, 2019, August 5, 2020, June 15, 2022, September 4, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1312.4**

## WILLIAMS UNIFORM COMPLAINT PROCEDURES

### Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (EC 35186; 5 CCR 4681)

    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 material to address a shortage of textbooks or instructional materials

2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (EC 35186; 5 CCR 4682)

    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 one or more English learners 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 the semester for an entire semester. (EC 35186; 5 CCR 4600)

    *Beginning of the year or semester* means the time period from the first day students attend classes for a year-long course or semester-long course, though not later than 20 business days afterwards. (5 CCR 4600)

    *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. (EC 35186; 5 CCR 4600)

3. Complaints regarding the condition of school facilities, including any complaint alleging that: (EC 35186; 5 CCR 4683)

   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 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; or any other condition deemed appropriate. (EC 17592.72)

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

      *Clean 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, and paper towels or functional hand dryers. (EC 35292.5)

      *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 a documented student safety concern, an immediate threat to student safety, or to repair the facility. (EC 35292.5)

**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. (EC 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (EC 35186; 5 CCR 4680)

The Superintendent or designee shall post in each classroom in each school a notice containing the components specified in Education Code 35186. (EC 35186)

**COMMUNITY RELATIONS** **AR 1312.4**

**WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)**

**Filing of Complaint**

A complaint alleging any condition(s) specified in "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (EC 35186; 5 CCR 4680)

A complaint alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency, may be filed with the Superintendent of Public Instruction (SPI) directly in addition to or in lieu of being filed with the district. Any such complaint shall identify the basis and provide evidence to support its filing directly with the SPI. (EC 35186)

If the Superintendent or designee becomes aware that a complaint alleging insufficient textbooks or instructional materials has been filed directly with the SPI but not with the district, the Superintendent or designee may initiate an investigation in accordance with this administrative regulation, as described below, if there is sufficient evidence to do so.

**Investigation and Response**

The principal or Superintendent's designee shall make all reasonable efforts to investigate any problem within the principal's or designee's authority. (EC 35186; 5 CCR 4685)

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (EC 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall send written resolution of the complaint to the mailing address of the complainant as indicated on the complaint within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (EC 35186; 5 CCR 4680, 4685)

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. (EC 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled meeting. (EC 35186; 5 CCR 4686)

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 "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 SPI within 15 calendar days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (EC 35186; 5 CCR 4610, 4687)

**WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)**

However, no other type of complaint regarding the condition of school facilities as described in "Types of Complaints" above may be appealed to the SPI. (EC 35186; 5 CCR 4610, 4687)

All complaints and written responses shall be public records. (EC 35186; 5 CCR 4686)

**Reports**

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (EC 35186; 5 CCR 4686)

Board Adopted: February 2, 2005
Date Revised: October 5, 2005; August 2, 2006, June 13, 2007, September 3, 2008, May 6, 2009, October 5, 2022, September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT (1)**

**COMMUNITY RELATIONS** **E 1312.4(1)**

**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

   That means each student, including an English learner, 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

   This includes the identification and resolution of emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff.

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.

   *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.

   *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.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's Williams uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district website. Additionally, you may download a copy of the California Department of Education (CDE) complaint form from CDE's website, when available. However, a complaint need not be filed using either the district's complaint form or the complaint form from CDE.

Date Approved: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT (2)**

**COMMUNITY RELATIONS** **E 1312.4(2)**

**WILLIAMS UNIFORM COMPLAINT PROCEDURES**

## COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES

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, including emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, or 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: (if response is requested)
Name: _____
Address: _____
Phone number: Day: _____ Evening: _____
E-mail address, if any: _____

Date problem was observed: _____

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: _____

**Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for 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: (EC 35186; 5 CCR 4681)

    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

**WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)**

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: (EC 35186; 5 CCR 4682)

[ ] 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. (5 CCR 4600)

[ ] A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class

This does not relieve the district from complying with state or federal law regarding teachers of English Learners.

[ ] A teacher is assigned to teach a class for which the teacher lacks subject matter competency

3. [ ] Facilities conditions: (EC 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)

[ ] A condition exists that poses an emergency or urgent threat to the health or safety of students or staff while at school 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, and paper towels or functional hand dryer.

[ ] 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

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT (2)**

**COMMUNITY RELATIONS** **E 1312.4(2)**

**WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)**

restroom is necessary for a documented student safety concern, an immediate threat to student safety, or to repair the facility.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as you wish 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 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)

Date Approved: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1325**

## ADVERTISING AND PROMOTION

Limited Open Forum

The Governing Board desires to promote positive relationships between schools and the community in order to enhance community support and involvement in district schools. The Superintendent or designee may approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings or other items of interest to students or parents/guardians
   (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
   (cf. 5145.2 - Freedom of Speech/Expression)
   (cf. 6145.5 - Student Organizations and Equal Access)
   (cf. 6162.8 - Research)

2. Distribution of promotional materials of a commercial nature to students or parents/guardians
   (cf. 1700 - Relations Between Private Industry and the Schools)

3. Paid advertisements on school property, including but not limited to billboard advertisements

4. Paid advertisements in school-sponsored publications, yearbooks, announcements and other school communications
   (cf. 1113 - District and School Web Sites)

5. Products and materials donated by commercial enterprises for use in the classroom, as long as they serve an educational purpose and do not unduly promote any commercial activity or products. Such materials may bear the name and/or logo of the donor.
   (cf. 3290 - Gifts, Grants and Bequests)
   (cf. 6161.11 - Supplementary Instructional Materials)

Prior to distribution or publication, the Superintendent, principal or designee shall review and approve all advertising copy and promotional materials to ensure compliance with Board policy.

The Superintendent, principal or designee may selectively approve or disapprove distribution of materials or publishing of copy based on the criteria listed below, but may not disapprove materials or copy in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that would otherwise be allowed.

**COMMUNITY RELATIONS** **BP 1325**

**ADVERTISING AND PROMOTION (continued)**

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

The use of promotional materials or advertisements does not imply district endorsement of any identified products or services. Schools are encouraged to include a disclaimer in school publications and yearbooks stating that the school does not endorse any advertised products or services.

Criteria for Approval

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

1. Are obscene, libelous or slanderous (Education Code 48907)

2. Incite students to commit unlawful acts, violate school rules or disrupt the orderly operation of the schools (Education Code 48907)

3. Promote any particular political interest, candidate, party or ballot measure, unless such materials are being distributed at a forum in which candidates or advocates from all sides are presenting their views to the students during school hours or during events scheduled pursuant to the Civic Center Act
(cf. 1160 - Political Processes)
(cf. 1330 - Use of School Facilities)
(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

4. Discriminate against, attack or denigrate any group on account of any unlawful consideration
(cf. 0410 - Nondiscrimination in District Programs and Activities)

5. 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, and movies or products unsuitable for children

6. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy
(cf. 1321 - Solicitation of Funds from and by Students)

7. Distribute unsolicited merchandise for which an ensuing payment is requested

**COMMUNITY RELATIONS** **BP 1325**

## ADVERTISING AND PROMOTION (continued)

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.
(cf. 0000 - Vision)

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks. Such criteria may limit advertisements to those that contain congratulatory or commemorative messages, curriculum-related content, advertisements for products or services of interest to students, noncontroversial content, and/or other content deemed appropriate by the school publication staff and adviser in accordance with law and Board policy.

*Legal Reference:*
*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*
*38130-38138 Civic Center Act*
*48907 Student exercise of free expression*
*BUSINESS AND PROFESSIONS CODE*
*25664 Advertisements encouraging minors to drink*
*U.S. CONSTITUTION*
*Amendment 1, Freedom of speech and expression*
*COURT CASES*
*DiLoreto 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*
*Henry 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 350*
*Lehman v. Shaker Heights, (1974) 418 U.S. 298*

(6/92 6/96) 11/01

Date Adopted: March 5, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1330**

## USE OF SCHOOL FACILITIES

The Governing Board 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.
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 6145.5 - Student Organizations and Equal Access)

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: (EC 38133)

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
   (cf. 0450 - Comprehensive School Safety Plan)
   (cf. 3516 - Emergencies and Disaster Preparedness Plan)

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. (EC 37220)
(cf. 6115 - Ceremonies and Observances)

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

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's 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.
(cf. 1330.1 - Joint Use Agreements)

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)
(cf. 9320 - Meetings and Notices)

## USE OF SCHOOL FACILITIES (continued)

No charge to school-related organizations

The Board authorizes 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. (EC 38134)

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. (EC 38134)

Calculating Direct Costs

Direct costs to be charged for community use of each, or each type of, school facility or grounds shall be calculated in accordance with 5 CCR 14038 and may reflect the community's proportionate share of the following costs: (EC 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

2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs of supplies, utilities, janitorial services, other services performed by 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

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. (5 CCR 14041)

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)

Use of School Facility as Polling Place

The Board may authorize the use of school buildings as polling places on any election day, and may also authorize the use of school buildings, without cost, for the storage of voting machines and other vote-tabulating devices. However, if a city or county elections official specifically requests the use of a school building as a polling place, the Board shall allow its use for such purpose. If school will be in session, the Superintendent or designee shall identify to elections officials the specific areas of the school

**USE OF SCHOOL FACILITIES (continued)**

buildings not occupied by school activities that will be allowed for use as polling places. (Elections Code 12283)
(cf. 6111 - School Calendar)

When a school is used as a polling place, the Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to persons with disabilities. (Elections Code 12283)

The Superintendent or designee shall establish procedures to ensure student safety and minimize disruptions whenever school is in session while the facilities are being used as a polling place.
(cf. 3515.2 - Disruptions)

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
ELECTIONS CODE
12283 Polling places: schools
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. 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)

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

(4/13 8/14) 7/18

Date Adopted: June 9, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1330**

## 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.

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

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: (EC 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 organization

4. Child care programs to provide supervision and activities for children of preschool and elementary school age
   (cf. 5148 - Child Care and Development)
   (cf. 5148.2 - Before/After School Programs)
   (cf. 5148.3 - Preschool/Early Childhood Education)

5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies

6. Supervised recreational activities, including, but not limited to, sports league activities 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
   (cf. 0450 - Comprehensive Safety Plan)
   (cf. 3516 - Emergencies and Disaster Preparedness Plan)

9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

**USE OF SCHOOL FACILITIES (continued)**

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Governing Board

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 drugs or any restricted substances, including tobacco
   (cf. 3513.3 - Tobacco-Free Schools)

4. Any use which involves the possession, consumption, or sale of alcoholic beverages, except for special events approved by the Superintendent or designee pursuant to Business and Professions Code 25608 which are covered by a special events permit pursuant to Division 9 of the Business and Professions Code and which will occur at a time when students are not on the grounds. Any such use of school facilities shall be subject to any limitations that may be necessary to reduce risks to the district and ensure the safety of participants, as determined by the Superintendent or designee. Applicable limitations shall be clearly stated in the facility use agreement to be signed by the user's representative.

The district may exclude certain school facilities from nonschool use for safety or security reasons.

Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (EC 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (EC 38134)

**COMMUNITY RELATIONS** **AR 1330**

**USE OF SCHOOL FACILITIES (continued)**

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (EC 38134)

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.
(cf. 3515.21 - Unmanned Aircraft Systems (Drones))

(4/13 4/15) 7/18

Date Adopted: June 9, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1340**

## ACCESS TO DISTRICT RECORDS

The Governing Board recognizes the right of members of the public to have access to public records of the district. The district shall provide any member of the public reasonable access to the public records of the district during normal business hours and within the requirements of law. Public access shall not be given to records that are exempt from public disclosure pursuant to the California Public Records Act or other state or federal law.

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

The district may charge for copies of public records or other materials requested by individuals or groups, in accordance with law and as specified in the accompanying administrative regulation.

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

Board Adopted: December 7, 1978

Date Revised: December 6, 2006, February 4, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1340**

## ACCESS TO DISTRICT RECORDS

This administrative regulation is a non-exhaustive list of records that may be defined as either public or exempt and/or confidential. Other records which fall into these definitions may exist and may be identified in the future.

### 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. (GC 7920.530)

*Writing* means any handwriting, typewriting, printing, photostating, photographing, photocopying, 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. (GC 7920.545)

*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 such membership, agency, office, or employment. (GC 7920.515)

### Public Records

Unless otherwise exempt from disclosure, 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 (EC 41020, 42103)
2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins
5. Minutes of public meetings (EC 35145)
6. Meeting agendas (GC 54957.5)
7. Official communications between the district and other government agencies

## ACCESS TO DISTRICT RECORDS (continued)

8. District and school plans, and the information and data relevant to the development and evaluation of such plans, unless otherwise prohibited by law

9. Initial proposals of exclusive employee representatives and of the district, once presented at a district Governing Board meeting (GC 3547)

10. Records pertaining to claims and litigation against the district which have been adjudicated or settled (GC 7927.200, 7927.205)

11. Statements of economic interests required by the Conflict of Interest Code (GC 81008)

12. Documents containing names, salaries, and pension benefits of district employees

13. Employment contracts and settlement agreements (GC 53262)

14. Instructional materials including, but not limited to, textbooks (EC 49091.10)

15. Executed contracts for the purchase of goods or services, even if the contract contains provisions specifying that the contract is confidential or a proprietary record of the vendor (GC 7928.801)

Access to public records of the district shall be granted to Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (GC 7921.305, 7921.310)

### Exempt and Confidential Public Records

Records exempt from disclosure under the California Public Records Act (CPRA) include, but are not limited to:

1. Preliminary drafts, notes, and interagency or intradistrict memoranda that 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 (GC 7927.500)

2. Records specifically generated in connection with or prepared for use in 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 (GC 7927.200, 7927.205)

**ACCESS TO DISTRICT RECORDS (continued)**

3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (GC 7927.700)

   The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees shall only be disclosed as follows: (GC 7928.300)

   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, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed

   d. Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, personal email address, or birth date, and the district shall remove the home address, home telephone number, and personal cell phone number from any mailing list of the district except a list used exclusively to contact the employee

   e. 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. The home address, telephone number, or both the name and assessor parcel number associated with the home address of any elected or appointed official posted by the district online without first obtaining the written permission of that individual (GC 7928.205)

5. Student records, except directory information and other records to the extent permitted by law and district policy (EC 49073, 49076; 20 USC 1232g; 34 CFR 99.1-99.8)

6. Test questions, scoring keys, and other examination data except as provided by law (GC 7929.605)

7. 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 (GC 7928.705)

**ACCESS TO DISTRICT RECORDS (continued)**

8. 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 an unfair competitive disadvantage to the person supplying the information (GC 7925.000)

9. Library circulation and patron use records of a borrower or patron including, but not limited to, name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to persons acting within the scope of their duties in the administration of the library; to persons authorized in writing, by the individual to whom the records pertain, to inspect the records; or by court order (GC 7927.100, 7927.105)

10. 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 (GC 7927.705)

11. 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 (GC 7929.200)

12. Information security record if disclosure of that record would reveal vulnerabilities to, or otherwise increase the potential for an attack on, an information technology system of the district (GC 7929.210)

13. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (GC 7924.110)

14. Minutes of Board meetings held in closed session (GC 54957.2)

15. Computer software developed by the district (GC 7922.585)

16. 16.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 (GC 7926.400, 7930.000-7930.215)

17. 17.Tribal financial information as a condition of or requirement for receiving financial assistance (GC 7930.205, 8450)

18. Any other records listed as exempt from public disclosure in the CPRA or other statutes

19. Any other 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 (GC 7922.000)

## ACCESS TO DISTRICT RECORDS (continued)

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record. (GC 7922.200, 7928.300)

Unless otherwise authorized or required by law, information regarding an individual's religious beliefs, practices, or affiliation shall not be disclosed. (GC 8310.3)

Additionally, an individual's immigration status shall only be disclosed in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

### Inspection of Records, Requests for Copies, and Recovery of Costs

Any person may request a copy or inspection of any district record that is not exempt from disclosure. (GC 7922.530)

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 the determination and the reasons for the decision. (GC 7922.535)

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 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: (GC 7922.535)

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

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, such as a state agency or city, having a substantial interest in the determination of the request or among two or more components of the district, such as 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

**COMMUNITY RELATIONS** **AR 1340**

**ACCESS TO DISTRICT RECORDS (continued)**

5. In the case of electronic records, the inability to access its electronic servers or systems due to a cyberattack in order to search for and obtain a record that the district believes is responsive to a request and is maintained on the servers or systems in an electronic format, and only until the district regains its ability to access its electronic servers or systems and search for and obtain electronic records that may be responsive to a request

6. The need to search for, collect, and appropriately examine records during a state of emergency proclaimed by the Governor pursuant to the California Emergency Services Act in the jurisdiction where the district is located when the state of emergency currently and directly affects, due to the state of emergency, the district's ability to timely respond to staffing shortages or closure of facilities where the requested records are located (GC 8567)

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. (GC 7922.535)

Public records shall be open to inspection at all times during district office hours. If a portion of the requested record(s) is exempt from disclosure, any non-exempt, reasonably segregable portion of the record shall be made available for inspection after deletion of the portions exempted by law. (GC 7922.525)

Upon request for a copy that reasonably describes an identifiable, non-exempt record, an exact copy shall be promptly provided unless it is impracticable to do so. (GC 7922.530)

If only a portion of the identified record is exempt from disclosure, the record's exempt material shall be redacted prior to disclosure.

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

Without charging any fees or costs, the Superintendent or designee shall allow members of the public to use their own equipment on district premises to photograph or otherwise copy or reproduce a disclosable record as long as the means of copy or reproduction: (GC 7922.530)

1. Do not require the equipment to make physical contact with the record

2. Will not result in damage to the record

3. Will not result in unauthorized access to the district's computer systems or secured networks by using software, equipment, or any other technology capable of accessing, altering, or compromising the district's electronic records

**COMMUNITY RELATIONS** **AR 1340**

## ACCESS TO DISTRICT RECORDS (continued)

The Superintendent or designee may impose any reasonable limit on the use of personal equipment to photograph, copy, or reproduce a disclosable record that is necessary to protect the safety of the records, or to prevent the copying of records from being an unreasonable burden to the orderly function of the district and its employees. Additionally, the Superintendent or designee may impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records. (GC 7922.530)

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's website and, in response to a public records request, directing the member of the public to the location on the website where the record can be found. However, if the member of the public is unable to access or reproduce the record from the website, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (GC 7922.545)

If any person requests that 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. (GC 7922.570)

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: (GC 7922.575)

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, the requester shall be assisted 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: (GC 7922.600)

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,

**ACCESS TO DISTRICT RECORDS (continued)**

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 CPRA shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (GC 7922.500, 7922.540)

Board Adopted: December 6, 2006

Date Revised: February 1, 2017, February 4, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**COMMUNITY RELATIONS** **BP 1445**

## RESPONSE TO IMMIGRATION ENFORCEMENT

The Governing Board is committed to the success of all students and to providing a safe and welcoming place for students, their families, and staff irrespective of their citizenship or immigration status.

Unless required by state or federal law, required to administer a state or federally supported educational program, or presented with a valid judicial subpoena, judicial warrant, or court order, district staff shall not do any of the following:

1. Solicit or collect information or documents regarding the citizenship or immigration status of a student or the student's family members (EC 234.7)
2. Seek or require information or documents, to the exclusion of other permissible information or documents, regarding the citizenship or immigration status of a student or the student's family members (EC 234.7)
3. To the extent practicable, disclose or provide in writing, verbally, or in any other manner to an officer or employee of an agency conducting immigration enforcement:
    a. The education records of or any information about a student or a student's family or household such as personal information as defined in Civil Code 1798.3, information about a student's home, or information about a student's travel schedule without parent/guardian written consent (EC 234.7)
    b. The personnel records of any district employee, personal information of any district employee as defined in Civil Code 1798.3, or any other confidential employee information (EC 234.7; Government Code 7285.2)
4. Grant permission to an officer or employee of an agency conducting immigration enforcement to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring (EC 234.7; GC 7285.1)

However, district staff shall not obstruct, interfere with, or otherwise impede an officer or employee of an agency conducting immigration enforcement who nonetheless enters district-provided transportation, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring.

The Superintendent or designee shall report to the Board in a timely manner any requests by an

**RESPONSE TO IMMIGRATION ENFORCEMENT (continued)**

officer or employee of an agency conducting immigration enforcement for any of the following: (EC 234.7)

1. Education records of or any information about a student or a student's family or household
2. Personnel records of any district employee, personal information of any district employee as defined in Civil Code 1798.3, or any other confidential employee information
3. Permission to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring

Such reports shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (EC 234.7)

In accordance with law, Board Policy 0410 - Nondiscrimination in District Programs and Activities, and Board Policy 5145.3 - Nondiscrimination/Harassment, no student shall be denied equal rights and opportunities, nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of the student's or family's immigration status or for the refusal to provide information related to the student's or family's immigration status. (EC 200, 220, 234.1)

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

The Superintendent or designee shall provide parents/guardians with information and notifications as specified in Education Code 234.7, including information regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement.

The Superintendent or designee shall develop procedures for, and may provide training to staff on, interactions with an officer or employee of an agency conducting immigration enforcement, including a request for any of the following:

**COMMUNITY RELATIONS** **BP 1445**

**RESPONSE TO IMMIGRATION ENFORCEMENT (continued)**

1. Education records of or any information about a student or a student's family or household
2. Personnel records of any district employee, personal information of any district employee as defined in Civil Code 1798.3, or any other confidential employee information
3. Permission to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring

Complaints alleging discrimination, harassment, intimidation, and bullying based on actual or perceived immigration status shall be filed in accordance with Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures.

The Superintendent or designee shall provide to the California Department of Education, upon request and in the manner requested, copies of this policy, any associated administrative regulation, and any other Board policies and administrative regulations required by Education Code 234.7.

Date Adopted: February 4, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1445**

## RESPONSE TO IMMIGRATION ENFORCEMENT

### Responding to Requests for Information or Documents

Upon receiving any request by an officer or employee of an agency conducting immigration enforcement for information about a student, a student's family or household, or a district employee as described in the accompanying Board policy, district staff shall deny the request, to the extent practicable, unless any of the following apply: (EC 234.7; 34 CFR 99.30, 34 CFR 99.31)

1. The request is for student directory information

   District staff shall respond to the request in accordance with Board Policy/Administrative Regulation 5125.1 - Release of Directory Information.

2. The district is required to release the records or information by state or federal law, in order to administer a state or federally supported educational program, or due to a valid judicial subpoena, judicial warrant, or court order

3. For records or information about a student or a student's family or household, the parent/guardian has provided written consent unless prohibited by a valid judicial subpoena, judicial warrant, or court order, or in cases involving investigation of child abuse, neglect, or dependency or, if the student is at least 18 years age, the student has provided written consent

   Such written consent shall include all of the following: (34 CFR 99.30)

   a. The signature and signature date of the parent/guardian, or student if the student is at least 18 years of age

   b. A description of the records to be disclosed

   c. The reason for the release of information

   d. The parties or class of parties receiving the information

   e. A copy of the records to be released, if requested by the parent/guardian or student

4. For records or information about a district employee, the employee has provided written consent and the district's human resource department or equivalent has been consulted

   Such written consent shall include all of the following:

a. The signature and signature date of the employee

b. A description of the records to be disclosed

c. The reason for the release of information

d. The parties or class of parties receiving the information

e. A copy of the records to be released, if requested by the employee

Regardless of whether the district discloses the requested records or information, district staff shall do all of the following when such a request has been received:

1. Make a copy of the request and notify the Superintendent or designee

2. For requests regarding student information, provide the student's parent/guardian, or the student, if the student is at least 18 years of age, with notice, a description of the request, and any documentation provided to the district describing the request, unless prohibited by a valid judicial subpoena, judicial warrant, or court order, or in cases involving investigation of child abuse, neglect, or dependency

3. For requests regarding district employee information, provide the employee with notice, a description of the request, and any documentation provided to the district describing the request, unless prohibited by a valid judicial subpoena, judicial warrant, or court order

In accordance with law and Board Policy 5125 - Student Records, the Superintendent or designee shall annually notify parents/guardians that the district will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a valid judicial subpoena, judicial warrant or court order.

**Responding to Requests for Access to Students or for Access to District-Provided Transportation, Nonpublic Area of District Property or Facility, or Nonpublic Area in which District-Sponsored Activity is Occurring**

If an officer or employee of an agency conducting immigration enforcement requests access to a student, such as for purposes of interviewing, searching, or detaining the student, or permission to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring, district staff shall take the following actions:

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1445**

## RESPONSE TO IMMIGRATION ENFORCEMENT

1. Advise the officer or employee that before district staff can respond to the request, they must first receive notification and direction from the Superintendent, principal, or designee

2. Request to see and record or otherwise document the officer's or employee's valid identification, including the officer's or employee's name and, if applicable, badge number, the phone number of the officer's or employee's supervisor

3. Request that the officer or employee produce any documentation that authorizes the officer's or employee's request, make copies of all such documentation, and retain at least one copy for district records

4. Contact and consult with the district's legal counsel or Superintendent or designee

5. Follow the direction from the district's legal counsel or Superintendent or designee

For a request to access a student, the district shall deny the request unless any of the following apply: (EC 234.7)

1. The officer or employee provides a valid judicial warrant or court order

2. District staff receives parent/guardian consent or, if the student is at least 18 years of age, the student's consent, unless the officer or employee presents a valid judicial warrant or court order that authorizes and directs the district to give such permission without parent/guardian consent or, if the student is at least 18 years of age, the student's consent

Regardless of whether the officer or employee is given access to the student, the student's parent/guardian shall be immediately notified, unless prohibited by a valid judicial warrant or court order, or in cases involving investigations of child abuse, neglect, or dependency. (EC 48906)

Additionally, district staff shall notify the Superintendent or designee as early as possible of any request by an officer or employee of an agency conducting immigration enforcement for access to a student. (EC 234.7)

For a request for permission to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring, the district shall deny the request unless any of the following apply: (Education 234.7)

1. The officer or employee provides a valid judicial warrant or court order

2. Permission is required to be granted by state or federal law or in order to administer a state or federally supported educational program

3. The officer or employee is a sworn law enforcement officer, declares that exigent circumstances exist, and demands immediate access

In this situation, district staff shall comply with the officer's or employee's orders and immediately contact the Superintendent or designee and then the district's legal counsel.

An officer or employee of an agency conducting immigration enforcement who, pursuant to this administrative regulation, is granted permission to enter district property or facilities which are not open to all visitors shall first register in accordance with Board Policy 1250 - Visitors/Outsiders, except in cases where the officer or employee is a sworn law enforcement officer and states that exigent circumstances exist. (Penal Code 627.2, 627.3)

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

**Responding to Immigration Enforcement Activity on District Property**

When any officer or employee of an agency conducting immigration enforcement is actually or imminently present on district property, district staff shall notify staff working at the property and, if the district property is a school, the parents/guardians of students at the school in accordance with Board Policy/Administrative Regulation 0450 - Comprehensive Safety Plan.

District staff shall report the presence of any officer or employee of an agency conducting immigration enforcement on district property to district police and other appropriate administrators.

District staff shall not obstruct, interfere with, or otherwise impede, or attempt to obstruct, interfere with, or otherwise impede, any officer or employee of an agency conducting immigration enforcement, even if the officer or employee appears to be acting outside the law or in excess of the stated or documented authorization. If such an officer or employee enters the premises without consent, district staff shall document their actions but only to the extent that documentation does not impede their actions and shall, at all times, obey any direction from such officers or employees.

After all officers and employees of an agency conducting immigration enforcement leave, each district staff member who observed or interacted with them shall promptly provide the following to the district's legal counsel or other district official designated by the Superintendent:

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 1445**

**RESPONSE TO IMMIGRATION ENFORCEMENT**

1. Copies of any information and documents collected from the officers or employees such as valid identification, name, badge number, phone number of the officer's or employee's supervisor, and documentation that authorizes the officer's or employee's request

2. The identity of all other district staff known to have communicated with the officers or employee

3. A description of all requests and activities by the officers and employees

4. The type of documentation, such as a warrant or subpoena, that authorized the officer's or employee's request or actions

5. District staff's response to the officer's or employee's request

6. Written notes of any other actions taken by and any other interactions with any officer or employee

**Responding to the Detention or Deportation of Student's Parent/Guardian**

The Superintendent or designee shall encourage parents/guardians to update their emergency contact information as needed at any time. The Superintendent or designee shall notify parents/guardians that the district will only use information provided on the emergency cards in response to specific emergency situations and not for any other purpose. (EC 234.7)

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

In the event that a student's parent/guardian is detained or deported, the Superintendent or designee shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. The Superintendent or designee shall only contact child protective services if district personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit. (EC 234.7)

In an instance where a student's parent/guardian was detained or deported, the Superintendent or designee shall notify the student, as well as the individuals designated in the student's emergency

contact information and any individual who presented a caregiver's authorization affidavit on behalf of the student, that the student continues to meet the residency requirements for attendance in the district if the student and the student's parent/guardian who was detained or deported satisfy the conditions as specified in Education Code 48204.4.

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

Date Adopted: February 4, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**ADMINISTRATION** **BP 2110**

## SUPERINTENDENT RESPONSIBILITIES AND DUTIES

The Governing Board desires to establish a productive and collaborative working relationship with the Superintendent and to ensure that the work of the Superintendent is focused on student learning, achievement, and well-being, and the attainment of the district's vision and goals. Additionally, the Board desires to provide a fair basis for holding the Superintendent accountable. The responsibilities of the Superintendent are detailed in law, in the Superintendent's contract, and throughout Board policies and administrative regulations.

The Board will collaborate with the Superintendent to set expectations and goals for the Superintendent at the beginning of every evaluation year.

As the chief executive officer of the district, the Superintendent shall implement all Board decisions and manage all instructional and noninstructional operations. Additionally, the Superintendent serves as a member of the district's governance team and has responsibilities to support Board operations and decision-making.

The Superintendent may delegate any of the Superintendent's responsibilities and duties to other district staff, but remains accountable to the Board for all areas of operation under the Superintendent's authority.

The Superintendent shall complete ethics training in accordance with Government Code 53234-53235.2 at least once every two years. (GC 53235)

If the Superintendent begins service with the district after January 1, 2026, the Superintendent is required to receive ethics training no later than six months from the first day of service with the district, and at least once every two years thereafter. (GC 53235.1)

The district shall maintain records of ethics training, which are public records subject to disclosure under the California Public Records Act, for at least five years after the Superintendent received the training. The district shall post on its website clear instructions and contact information for the purpose of requesting these records. (GC 53235.2)

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**ADMINISTRATION** **BP 2210**

## ADMINISTRATIVE LEEWAY IN ABSENCE OF BOARD POLICY

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

If the matter involves a policy decision that is likely to be controversial, or a matter that has a significant impact on student learning or safety, the superintendent or designee shall notify the Board President as soon as practicable after its occurrence. The Board President shall then inform the Board.

The Board President may schedule a review of the action at the next regular Board Meeting.

If the action indicates the need for additions or revisions in Board Policies, the Superintendent or designee shall make the necessary recommendations to the Board.

*Legal Reference:*
*EDUCATION CODE*
*35035 Powers and Duties of Superintendent*

Date Adopted: November 3, 1977
Date Revised: June 26, 2002

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**ADMINISTRATION** **BP 2220**

## SUPERINTENDENT – EVALUATION

The Board of Education feels that it is important to periodically conduct formal and informal evaluations of the superintendent of schools. The reasons for such evaluation include:

1. Evaluation is an important responsibility of the Governing Board which delegates its authority to an executive. Therefore, the Board must constantly, both formally and informally, judge the work done by the superintendent.

2. Evaluation provides useful information for analyzing the effectiveness of programs, policies, and school personnel.

3. Evaluation results can aide in deciding if programs and personnel in the system are accountable in terms of money expended.

4. Evaluation results can assist boards in reviewing, revising, and updating existing policies.

5. Evaluation periods serve as time to give encouragement and commendation for work well done.

6. Evaluation offers an opportunity for the superintendent's self-evaluation on his own characteristics and performance.

7. Evaluation serves to replace opinion with fact.

At the time of the annual evaluation, the superintendent will meet with the Board, not only to assess performance for the previous year, but also to establish priorities and objectives for the coming school year.

Date Adopted: November 3, 1977

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**ADMINISTRATION** **BP 2230**

## SUPERINTENDENT – DELEGATION OF POWERS

The superintendent may delegate to subordinates any powers or duties which the Board of Education has entrusted to him. Such delegation does not relieve him of the primary responsibility for the proper performance of such duty.

The superintendent shall specify required actions and design the detailed arrangements under which the schools are to be operated.

Such required actions and detailed arrangements constitute the administrative regulations governing the schools. They must in every respect be consistent with the policies adopted by the Governing Board.

Date Adopted: November 3, 1977

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**ADMINISTRATION** **BP 2240**

## RESEARCH, EVALUATION, PLANNING

The Superintendent shall be responsible for the development of plans for research, evaluation and long-term planning. These plans will guide the governing board in policy development and the management in moving the organization through systematic continuous improvement efforts towards the mission. Long-term planning efforts of all departments and schools are to be aligned to the District priority planning goals.

For an organization to continually improve, it must be rational and systematic in its approach. All functions of the organization need to focus on the District mission and work in an integrated way for the achievement of all the students.

The major purpose of district long-range planning is to guide the District in the improvement of student performance for all student groups. A critical feature of long-range planning is the improvement of system services and programs that support the District mission. Such planning needs to be comprehensive in scope and integrated in function.

It is the policy of the governing board that proper planning and policy development be an important part of District level administration.

*Legal Reference:*

*EDUCATION CODE*
*35035 Powers and duties of superintendent*
*35291 Rules (Power of Governing Board)*
*48657 Rules and Regulations for Management of Government*

*GOVERNMENT CODE*
*3543.2 Scope of Representation*

Date Adopted: March 6, 2002

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**ADMINISTRATION** **AR 2240**

## RESEARCH, EVALUATION, PLANNING

The District will engage in long-range planning to guide the District in the ongoing improvement of student performance for all student groups. The planning will focus on efforts to improve all system functions in supporting the District mission.

Meaningful long-range planning is a precise determination of the District's aims and ideas, and the integrated means by which it will reach them. The planning is to be characterized by the following attributes:

- A sense of mission permeates the organization and all individuals understand their role with respect to the system mission, division/department/school mission, and their personal mission.
- Change is accepted as a permanent condition, with recognition that failure to deal with change will stultify and diminish the capability of the school organization.
- A continuous study of benchmarking processes is routinely conducted to identify gaps in current and desired functioning level.
- Key issues/goals/objectives are identified and prioritized from the benchmarking and gap analysis; people, jobs and technology are used in an integrated way to achieve the goals of the organization in a focused and connected way.
- A shared vision is widely held with common understanding of where the system is going and for what reasons.
- Formative assessment processes are used to review progress and adjust plans or redeploy resources as needed.
- Demands are made upon the organization to affirm its purposes, assess its strengths and weaknesses and take action in accordance with its internal and external environment in order to improve over time.

Management by planning is a process of continuously defining the direction of a district and aligning the work accordingly. District-wide planning will be focused on a few goals in order to orchestrate the system toward change. All division, department and school plans will be aligned with the District's priority goals.

The plan is to be data-driven using a critical analysis of the current and desired status of the District. The District staff is to use benchmarking processes to search for new methods, practices and processes for carrying out the work of the District.

**ADMINISTRATION** **AR 2240**

**RESEARCH, EVALUATION, PLANNING (continued)**

Planning Process

The District will design a three-year plan that will include year one objectives and strategies to achieve desired objectives. The plan is to be reviewed and updated annually. Objectives and strategies will be supported by integrated, strategic action plans. Annually, the achievement of the plan's goals will be evaluated and such evaluation reported to the Board and District constituents.

A feasible number of objectives will be established for the District. It is recognized that significant objectives and strategies will take several years to achieve. The District long-range plan serves to focus an alignment of all District, school, and department priorities regardless of funding source.

The establishment of priority goals will precede the budget planning process and will be incorporated into such planning to ensure that the necessary resources are available to carry out the strategic actions.

By August of each year the annual District objectives shall be determined. The Superintendent shall publish these for school/Implementation Plan alignment by October of each year for the subsequent year.

By November of each school year, the principal, with the assistance of the staff and School Site Council shall develop, review and revise the School Improvement Plan for the purpose of improving student performance for all student populations in alignment with the annual District goal priorities. Each division and/or department administrator will align its improvement plans to the annual District priority goals.

By February of each school year the Superintendent will present a mid-year State of the District report to the Board of Education.

A year-end State of the District report will be made at the late June meeting of the Board on an annual basis.

The administration will:

- Advise the Superintendent and Cabinet regarding planning endeavors.
- Revisit the District vision as needed.
- Recommend proposed three-year and annual systematic objectives.
- Suggest possible strategies to management for implementing the objectives and ways to assess achievement of the goals.

**ADMINISTRATION** **AR 2240**

**RESEARCH, EVALUATION, PLANNING (continued)**

The three-year plan will be studied by the Cabinet. Objectives will be revised, if needed, and submitted to the Board for its input. The Cabinet will then approve the District-wide plan.

Note: The Governing Board does not approve the objectives since they are District-wide management objectives in the areas of student achievement and management functions. The Board may choose to develop its own goals to support the management objectives, if desired.

The Board will be involved throughout the planning process and invited to be participants in the endeavors.

Once established, objectives will be assigned to the appropriate administrators. School Site Councils will design school plans and assist in implementation. The site council will meet monthly to ensure the plans and strategies are integrated.

COMPONENTS OF THE DISTRICT'S LONG-RANGE PLANNING

Nine components will be included in the systematic planning document. These components are presented below under four categories: creating purpose, setting direction, deploying direction and managing direction. Although these components are present in a linear fashion, they take place in an integrated and cyclical manner.

1. Vision: The planning document will clarify and communicate District beliefs. These beliefs are the formal expression of the organization's fundamental values: its ethical code its overriding convictions, its inviolate moral commitments. These beliefs are to provide a framework and an organizational shared culture by which all actions are examined.
2. Mission: The District's mission is a general purpose statement of the school organization. The mission is the foundation upon which all educational programs and services are to be built. It describes the reason this District exists. The focus is on a consolidated District mission linking group and individual missions to the District mission.
3. Needs Assessment: Prior to setting goals, there is to be a collection and analysis of vital data about all facets of the internal and external environments of the District. This information defines the current status of the District and describes its future by combining forecasting results with status-check results. A prediction of the events and conditions that are likely to influence the performance of a school organization, division, or key individuals is an essential component of planning.
4. Identification of Objectives, Prioritization, and Categorization: Three-year goals are to be developed from the critical analysis, benchmarking and vision. The District needs to have a few significant goals that are feasible to focus the organization toward change.

**RESEARCH, EVALUATION, PLANNING (continued)**

5. Strategies: From the objectives, strategies are to be derived that are measurable and that have time limitations. The strategies describe the activities a school organization plans to conduct. It will be important that these strategies are feasible within the resources of the organization. Timelines will be developed to list desired achievements of objectives.
6. Evaluation: For each objective, statements of conditions are to be designed that will show evidence that an objective is satisfactorily achieved. Procedures also need to be developed for carrying out the evaluation. Each objective should be evaluated and the evaluation procedures should be developed at the time the objective is written. Formative evaluation procedures also need to be put in place before work on the objective begins. This evaluative data will be used to improve the strategies being undertaken to reach the objective.
7. Integration of Functional Action Plans: Planning needs to be cross-functional and integrated. As each objective and its corresponding strategies and strategic action plan are designed, the leaders of each of the action plans are to work together to integrate the plans. Each action plan must be understood by each of the administrators of the plans and agreed to by all administrators. The resources are not to be competed over, but all agree as to how and when resources are going to be used to bring about the entire set of planning objectives.
8. Planning and Budgeting Timeline: It is essential that the action plans be in place and integrated prior to the budgeting process. This will allow the planning priorities to be incorporated into budget planning. Because planning objectives are a critical aspect of the organization's budget for the next year, planning will be scheduled so that the results can be fed directly into budget considerations for the coming year or more. As the process is refined, the relationship between planning and budgeting will become more obvious and more automatic. The planning objectives need to be developed over several years, as does the budget, to ensure continuity of funding to support the plans. It is proposed that planning before a three-year time frame and that these objectives be annually updated or evolved no later than August for the next fiscal year. System-wide annual goals and objectives for the next fiscal year would need to be in place by October with all units/schools/departments having their goals in place by November. These goals would then be built into the budgeting process beginning in December. The District would need to be using a program-driven budgeting approach that has incremental prioritization and competition of all programs and new planning objectives with one another. This would allow for multi-year budgeting plans, along with the budget to be in place by March prior to the next fiscal year. Revenues, when known, would then determine the level of funding based on the incremental prioritization of programs.

**ADMINISTRATION** **AR 2240**

**RESEARCH, EVALUATION, PLANNING (continued)**

9. Implementation and Modifying: Once the action plans are designed and resources have been made available, the action plans begin. Formative evaluation activities need to be undertaken and modifications made in the plans as needed. Approaches for alternative actions need to be in place.

*Legal Reference:*

*EDUCATION CODE*
*35035 Powers and duties of superintendent*
*35291 Rules (Power of Governing Board)*
*48657 Rules and Regulations for Management of Government*

*GOVERNMENT CODE*
*3543.2 Scope of Representation*

Date Adopted: March 6, 2002
Revised: January 9, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**ADMINISTRATION** **BP 2260**

## BUDGET DEVELOPMENT

The Board of Trustees realizes that the budget is the major financial planning document for expressing the district goals and priorities in dollars and resource allocations. System wide productivity is enhanced by budgetary decisions that ensure adequate resources to those program efforts that are aligned with district goals and priorities. As such, it should reflect a direct connection between the resources provided and the criticality of the goals toward which those resources are directed. A process should be in place to force linkages of resource allocations to needs assessments and identified goals and priorities.

The superintendent shall be responsible for establishing processes that maximize the focus of limited human and financial resources on targeted priorities to support student achievement. These processes need to have participation from staff and administrators to systematically support student learning through program evaluation. Timelines shall be established to permit results of short and long range planning efforts to be input into the budget process to allow financial planning to take place for the subsequent and multi year budgets.

The district will work toward developing program driven budgeting approaches that involve incremental prioritization of all programs and new planning objectives. The goals and objectives established through the short and long range planning processes will have financial "links" attached which will reflect a ranking and prioritization established through the funding process. In this way, as additional funding becomes available to the district, the uses for these funds will have already been identified and prioritized.

A budget development calendar shall be developed which details the process and input points for these program links, uses of various committees, information presented to the Board, specific deadlines for the district, county, and state, and other relevant information. Emphasis will be placed on the importance of two-way sharing of information throughout the budget development process. The Board believes that this process is vital, not only for the value of the information shared but for the development and enhancement of trust throughout the district.

Date Adopted: June 26, 2002

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**ADMINISTRATION** **AR 2260**

## BUDGET DEVELOPMENT

The purpose of this administrative regulation is to describe the process and procedures for implementing Board Policy #2260 on Budget Development. Essentially, this will describe the process of putting together a viable operating budget for district operations while integrating the goals and objectives developed during the strategic planning process. This integration process is critical in implementing a budget that truly reflects the proactive priorities of the Board. While this AR will not spell out every detail, it will provide the framework from which the detailed action plan will be developed. It describes department responsibilities, approximate time frames, interface points, communication methods, integration methods for the program links, reviews, etc. Throughout the budget development process, the following will be major considerations:

1. Tangible, demonstrable connections will be evident between assessment of curriculum effectiveness and allocations of resources.
2. Program components will be prioritized to permit flexibility in budget expansion, reduction, or stabilization based on changing needs and priorities.
3. Each budget request shall be evaluated on the consequences of funding or non-funding in terms of performance or results.
4. Cost benefits of components in curriculum programming will be delineated in budget decision-making.
5. Budget requests will compete for funding based upon evaluation of criticality of need and relationship to achievement of curriculum effectiveness.
6. Priorities in the budget will be set by participation of key educational staff in the decision making process. Staff suggestions and ideas for budget priorities will be welcome during the budget development process.

Budget Calendar

A budget calendar will be developed by Business Services each year, 12 months prior to the beginning of the fiscal year. It will be presented to the Board in August of the year proceeding the actual budget year. This calendar will cover a 24 month period ending June 30 of the budget year. It will include:

A. Meetings of the Budget/Finance Advisory Committee (BFAC)
B. Reports to the Board including final budget, interim reports, enrollment, etc.
C. Communication points.
D. State and County deadlines
E. Interfaces with planning goals and objectives
F. Reviews of State preliminary budget.
G. Other as necessary

This calendar will be a dynamic document subject to change in response to demands.

**ADMINISTRATION** **AR 2260**

**BUDGET DEVELOPMENT (continued)**

Budget/Finance Advisory Committee

Often the district budget is viewed as an alien creature, avoided or misunderstood by those outside the business office. A budget/finance committee provides the opportunity to effectively communicate the budget process to representatives of the educational community: parents, board members, teachers, administrators, support staff, and other community members.

This committee is an ideal vehicle to provide information about the financial condition and funding decisions of the district. By developing the knowledge base of the members, meaningful participation in the total budget/finance process can be achieved. This committee will be advisory in nature and will function primarily as a communication vehicle to receive input from district staff, parents, and community members and as a vehicle for distributing information to these groups. The Superintendent and Chief Business Official (CBO) will determine specific membership and size. Meetings shall be regularly scheduled in the Budget Calendar.

Interface Points

It is essential that the action plans from the planning process be in place and integrated prior to the budgeting process. This will allow the planning priorities to be incorporated into budget planning. Such action plans, or objectives, will be annually updated or evolved no later than August for the next fiscal year. October will see the system-wide goals and objectives in place and by November all units/schools/departments goals will be in place. These goals will then be built into the budgeting process beginning in December.

This timeline will allow for multi-year budgeting plans, along with the budget to be in place by March prior to the next fiscal year. Revenue, when known, would then determine the level of funding based on the incremental prioritization of programs. Interface points will occur during the early spring of the planning year as the budget is being developed. These will be scheduled in the budget calendar.

Administrative Responsibilities

While Business Services will have primary responsibility for developing the District Annual Budget, each administrator or program manager will be responsible for the budgetary requirements of their own area of responsibility. Business Services will develop appropriate forms for gathering information in a goal/ objective/priority type of format. These forms will be the basis for this program-driven budgeting approach.

**ADMINISTRATION** **AR 2260**

**BUDGET DEVELOPMENT (continued)**

Business Services, in conjunction with the Superintendent's office, will also be responsible for developing comprehensive instructions generating budget input. This process will be phased in over an initial two year process and be fully implemented by the third budget year.

The Process

The following process was recommended in the Curriculum Management Audit and will serve as a general outline and guide to start this new process. Simplified procedures will evolve through time.

A. Identify various educational activities or programs and group them into broad areas of need or purpose served. Divide the organization into the most logical subgroups possible, based on existing operating structure.
B. Build incremental budget "packages" within each of the groupings in terms of the priority with which they deliver the objectives of the area of need or purpose.
C. Direct the budget managers to prepare concise and meaningful budget packages for their areas with each package representing a level of activity that stands alone, but builds sequentially on the previous year's package at the indicated levels above or below current funding.
D. Define a tentative program structure, after grouping and compilation of budget packages.
E. Attach a goal statement to each program area or package group which state the purpose it serves.
F. Compile goal statements and budget packages and give to staff to gather data to describe service levels, program outputs, and cost benefits.
G. Define organizational performance data, appropriate involvement of staff, current and desired service, and program objectives.
H. Prepare guidelines and recommendations and give to those who will develop the program budgets.
I. Compile budget packages, including costs, into a worksheet with instructions for evaluating and ranking.
J. Compile past cost information, especially expenditure percentages of the budget with performance data and recommendations to guide preliminary budget-building estimates.
K. Have the appropriate administrative personnel evaluate and rank budget program packages. Then compile results and publish in a tentative budget program package. List packages in the order of ranking priority.

**ADMINISTRATION** **AR 2260**

**BUDGET DEVELOPMENT (continued)**

L. Finalize budget allocations based on revenues available, the appropriate levels to be authorized, and the program funding priorities and rankings by the superintendent for recommendation to the Board.
M. Review recommendations, evaluate priorities, establish final programs and services to be funded and at what level to be approved by the Board.
N. After board adoption, set the budget into place.
O. Use the prioritized listing for determining allocations of any future revenues from grants or other external sources.

Date Adopted: June 26, 2002

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**ADMINISTRATION** **BP 2310**

## SITE ADMINISTRATION – TEACHING VICE-PRINCIPAL IN CHARGE IN THE PRINCIPAL'S ABSENCE

The Enterprise Board of Education recognizes the importance of having a person readily available to perform administrative functions at the school site. Normally the principal carries out this function as delegated by the Superintendent. It is the intention of this policy to provide for an orderly process of administrative detail in the absence of the on-site administrator. It is further the intent of this policy to provide direction and protection for individuals assuming these responsibilities. The following procedures will be followed in providing such coverage:

1. Applications for teaching vice-principals (TVP) shall be circulated from the Superintendent's office, and shall be received only by the Superintendent's office. The Superintendent shall make the final selection. Teaching Vice-Principals will be selected on an annual basis.
2. Individuals designated as the TVP will be compensated according to agreements with the bargaining agent.
3. The person designated as the TVP will have the same authority as the building principal in the principal's absence with the exception of evaluation of personnel.
4. Responsibilities of the TVP will include areas listed in the Leadership Development document (exhibit attached).
5. Staff members of the District will be informed about individuals serving in the capacity of TVP by District bulletin.
6. Administrators and/or the Superintendent will provide letters of verification to individuals serving in this capacity upon request, to be used as a reference and/or experience records. This experience may also be used as part of a training program from an institution of higher learning if it meets the requirements of the college or university conducting the program.
7. Individuals serving as the TVP, in the absence of the principal, may call for assistance from the Superintendent or a neighboring principal as the need arises with the full expectation of receiving assistance.
8. When all or a majority of administrators are absent from a school site for two or more hours, it shall be up to the discretion of the Teaching Vice-Principal to call a substitute according to District procedure.

The Enterprise Board of Education recognizes the importance of individuals serving as a TVP and wishes to provide these individuals with the protection and authority necessary to carry out these important responsibilities.

Date Adopted: May 7, 1981
Date Revised: February 6, 1987; March 7, 2007

| **Standard 5** | NECESSARY INVOLVEMENT: | | | |
|---|---|---|---|---|
| *A school administrator is an educational leader who promotes the success of all students by modeling a personal code of ethics and developing professional leadership capacity.* | Put a system in place to recognize individual on site | | | |
| | Help lead staff meetings | | | |
| | | | | |
| | OPTIONS: (Choose 2 options) | | | |
| | Share his/her learning process and its relationship to school improvement. | | | |
| | Be a resource teacher to others on site in one curricular area. | | | |
| | Help to further develop positive school climate | | | |
| | Learn & practice the use of staff consensus building tools (Quality Education Tools) | | | |
| | Read journals/attend conferences | | | |
| | Journal about change process | | | |
| | Journaling & meeting with TVPs in job alike group. | | | |
| | Journaling & meeting with APs in job alike group. | | | |
| | | | | |
| | | | | |
| | | | | |

| **Standard 6** | NECESSARY INVOLVEMENT: | | | |
|---|---|---|---|---|
| *A school administrator is an educational leader who promotes the success of all students by understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.* | News Releases, invite media into school | | | |
| | Analyze the Effective School Survey results and share results with staff | | | |
| | Familiarity with No Child Left Behind | | | |
| | Understand state accountability for API, EL, and all other subgroups | | | |
| | | | | |
| | OPTIONS: (Choose 1 option) | | | |
| | Service Project into school's neighborhood | | | |
| | Analyze the School Site Council Survey and share results with SSC and staff | | | |
| | Be a promoter of Developmental Asset activities and awareness | | | |
| | Coordinate volunteers to work at site (ex. Americorp, Foster Grandparents, etc.) | | | |
| | | | | |
| | | | | |
| | | | | |

Board Approved: 3/7/07

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**ADMINISTRATIONS** **BP 2320**

## APPLICATION FOR GRANT AND PROJECT FUNDS

All applications for grant and project funds being developed on behalf of the District must be approved by the Superintendent prior to being submitted.

Individuals contemplating the submission of a project should thoroughly review this possibility with the building administrator prior to extensive involvement. The site administrator shall review this with the Superintendent before committing personnel or District resources to the development of the project.

The project description must be substantially completed and sufficient time must be allowed for a thorough review, which will include, but not be limited to, the following considerations:

1. Educational value to students.

2. Impact on students not involved in the project.

3. Impact upon personnel.

4. Cost factors, with a review of priorities from both an educational and financial standpoint.

5. Ability of the District to sustain the project once funds are withdrawn.

Those projects requiring Board approval will be submitted and reviewed by the Board of Education prior to submission. When this is not possible, the Superintendent shall provide tentative approval and present the project to the Board with an explanation at the earliest opportunity.

Date Adopted: August 4, 1983

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3230**

## FEDERAL GRANT FUNDS

The Governing Board recognizes the district's responsibility to maintain fiscal integrity and transparency in the use of all funds awarded through federal grants. The district shall comply with all requirements detailed in any grant agreement with an awarding agency and with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in 2 CFR 200.0-200.521 and any stricter state laws and district policy.

Any goods or services purchased with federal funds shall be reasonable in cost and necessary for the proper and efficient performance or administration of the program.

The Superintendent or designee shall ensure that the district's financial management systems and procedures provide for the following: (2 CFR 200.302)

1. Identification in district accounts of each federal award received and expended and the federal program under which it was received
   (cf. 3100 - Budget)

2. Accurate, current, and complete disclosure of the financial and performance results of each federal award or program in accordance with the reporting requirements of 2 CFR 200.327 and 200.328
   (cf. 3460 - Financial Reports and Accountability)

3. Records and supporting documentation that adequately identify the source and application of funds for federally funded activities, including information pertaining to federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest
   (cf. 1340 - Access to District Records)
   (cf. 3580 - District Records)

4. Effective controls and accountability for all funds, property, and other assets and assurance that all assets are used solely for authorized purposes

5. Comparison of actual expenditures with budgeted amounts for each federal award

6. Written procedures to implement provisions governing payments as specified in 2 CFR 200.305

7. Written procedures for determining the allowability of costs in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award
   (cf. 3400 - Management of District Assets/Accounts)

The Superintendent or designee shall develop and implement appropriate internal control processes to reasonably assure that transactions are properly executed, recorded, and accounted for so that the district can prepare reliable financial statements and federal reports, maintain accountability over assets, and demonstrate compliance with federal laws, regulations, and conditions of the federal award. (2 CFR 200.61, 200.62, 200.303)

## BUSINESS AND NONINSTRUCTIONAL OPERATIONS BP 3230

## FEDERAL GRANT FUNDS (Continued)

Equipment purchased with federal funds shall be properly inventoried and adequately maintained to safeguard against loss, damage, or theft of the property.
(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)
(cf. 3440 - Inventories)
(cf. 3512 - Equipment)

All staff involved in the administration or implementation of programs and activities supported by federal funds shall receive information and training on the allowable use of federal funds, purchasing procedures, and reporting processes commensurate with their duties.
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The district shall submit performance reports to the awarding agency in accordance with the schedule and indicators required for that federal grant by law and the awarding agency. As required, such reports may include a comparison of actual accomplishments to the objectives of the federal award, the relationship between financial data and performance accomplishments, the reasons that established goals were not met if applicable, cost information to demonstrate cost effective practices, analysis and explanation of any cost overruns or high unit costs, and other relevant information. The final performance report shall be submitted within 90 days after the ending date of the grant. (2 CFR 200.301, 200.328)
(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:
EDUCATION CODE
42122-42129 Budget requirements
CODE OF FEDERAL REGULATIONS, TITLE 2
180.220 Amount of contract subject to suspension and debarment rules
200.0-200.521 Federal uniform grant guidance, especially:
200.1-200.99 Definitions
200.100-200.113 General provisions
200.317-200.326 Procurement standards
200.327-200.329 Monitoring and reporting
200.333-200.337 Record retention
200.400-200.475 Cost principles
200.500-200.521 Audit requirements
CODE OF FEDERAL REGULATIONS, TITLE 34
76.730-76.731 Records related to federal grant programs
CODE OF FEDERAL REGULATIONS, TITLE 48
2.101 Federal acquisition regulation; definitions

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California Department of Education Audit Guide
California School Accounting Manual
EDUCATION AUDIT APPEALS PANEL PUBLICATIONS
Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Questions and Answers Regarding 2 CFR Part 200, March 17, 2016
WEB SITES
California Department of Education: http://www.cde.ca.gov
Education Audit Appeals Panel: http://www.eaap.ca.gov
Office of Management and Budget, Uniform Guidance: https://www.whitehouse.gov/omb/grants_docs
State Controller's Office: http://www.sco.ca.gov
System for Award Management (SAM): www.sam.gov/portal/SAM/##11
U.S. Department of Education: http://www.ed.gov
U.S. Government Accountability Office: http://www.gao.gov

9/16

Board Adopted: August 1, 2018

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3230**

## FEDERAL GRANT FUNDS

To ensure the lawful expenditure of any federal formula or discretionary grant funds awarded to the district, the Superintendent or designee shall comply with the requirements of the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the "Uniform Guidance"), as contained in 2 CFR 200.0-200.521 and Appendices I-XII.

### Allowable Costs

Prior to obligating or spending any federal grant funds, the Superintendent or designee shall determine whether a proposed purchase is an allowable expenditure in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the award. He/she shall also determine whether the expense is a direct or indirect cost as defined in 2 CFR 200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.
(cf. 3350 - Travel Expenses)

The Superintendent or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the California School Accounting Manual.
(cf. 3300 - Expenditures and Purchases)
(cf. 3314 - Payment for Goods and Services)

### Period of Performance

All obligations of federal funds shall occur on or between the beginning and ending dates of the grant project and shall be paid no later than 90 days after the end of the funding period, unless specifically authorized by the grant award to be carried over beyond the initial term of the grant. (2 CFR 200.77, 200.308, 200.309, 200.343)

### Procurement

When procuring goods and services with a federal grant, the Superintendent or designee shall comply with the standards contained in 2 CFR 200.317-200.326 and Appendix II of Part 200, or with any applicable state law or district policy that is more restrictive.

As appropriate to encourage greater economy and efficiency, the Superintendent or designee shall avoid acquisition of unnecessary or duplicative items, give consideration to consolidating or breaking out procurements, analyze lease versus purchase alternatives, consider entering into an interagency agreement for procurement of common or shared goods and services, and/or use federal excess or surplus property. (2 CFR 200.318)

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3230**

**FEDERAL GRANT FUNDS (Continued)**

The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and district regulations and the following requirements:

1. Any purchase of supplies or services that does not exceed the "micro-purchase" threshold specified in 48 CFR 2.101 may be awarded without soliciting competitive quotes, provided that the district considers the price to be reasonable and maintains written evidence of this reasonableness in the record of all micro-purchases. (2 CFR 200.67, 200.320)

2. For any purchase that exceeds the micro-purchase threshold but is less than the bid limit required by Public Contract Code 20111, the Superintendent or designee shall utilize "small-purchase" procedures that include obtaining price or rate quotes from an adequate number of qualified sources. (2 CFR 200.320)

3. Contracts for goods or services over the bid limits required by Public Contract Code 20111 shall be awarded pursuant to California law and AR 3311 - Bids, unless exempt from bidding under the law.
(cf. 3311 - Bids)

4. If a purchase is exempt from bidding and the district's solicitation is by a request for proposals, the award may be made by either a fixed-price or cost-reimbursement type contract awarded to the entity whose proposal is most advantageous to the program, with price and other factors considered. (2 CFR 200.320)
(cf. 3312 - Contracts)

5. Procurement by noncompetitive proposals (sole sourcing) may be used only when the item is available exclusively from a single source, the need or emergency will not permit a delay resulting from competitive solicitation, the awarding agency expressly authorizes sole sourcing in response to the district's request, and/or competition is determined inadequate after solicitation of a number of sources. (2 CFR 200.320)

6. Time and materials type contracts may be used only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract for which the cost is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general administrative expenses, and profit. (200.328)

For any purchase of $25,000 or more, the Superintendent or designee shall verify that any vendor which is used to procure goods or services is not excluded or disqualified by the federal government. (2 CFR 180.220, 200.213)

**FEDERAL GRANT FUNDS (Continued)**

All solicitations shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description shall avoid detailed product specifications to the extent possible, but may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or not economical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used to define the performance or other salient requirements of procurement, clearly stating the specific features of the named brand which must be met by offers. In addition, every solicitation shall identify all requirements which the offer must fulfill and any other factors to be used in evaluating bids or proposals. (2 CFR 200.319)

The Superintendent or designee shall maintain sufficient records to document the procurement, including, but not limited to, the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis for the contract price. (2 CFR 200.318)

The Superintendent or designee shall ensure that all contracts for purchases using federal grant funds contain the applicable contract provisions described in Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. (2 CFR 200.326)

Capital Expenditures

The Superintendent or designee shall obtain prior written approval from the awarding agency before using federal funds to make capital expenditures, including the acquisition of land, facilities, equipment, and intellectual property and expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life. (2 CFR 200.12, 200.13, 200.20, 200.33, 200.48, 200.58, 200.89, 200.313, 200.439)

Conflict of Interest

No Governing Board member, district employee, or district representative shall participate in the selection, award, or administration of a contract supported by federal funds if he/she has a real or apparent conflict of interest, such as when he/she or a member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of them has a financial interest in or a tangible personal benefit from a firm considered for a contract. Such persons are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or subcontractors unless the gift is an unsolicited item of nominal value. (2 CFR 200.318)

## FEDERAL GRANT FUNDS (Continued)

Employees engaged in the selection, award, and administration of contracts shall also comply with BB 9270 - Conflict of Interest.
(cf. 9270 - Conflict of Interest)

Cash Management

The Superintendent or designee shall ensure the district's compliance with 2 CFR 200.305 pertaining to payments and cash management, including compliance with applicable methods and procedures that minimize the time elapsing between the transfer of funds to the district and the district's disbursement of funds. (2 CFR 200.305)

When authorized by law, the district may receive advance payments of federal grant funds, limited to the minimum amounts needed and timed in accordance with the actual immediate cash requirements of the district for carrying out the purpose of the program or project. Except under specified conditions, the district shall maintain the advance payments in an interest-bearing account. The district shall remit interest earned on the advanced payment to the awarding agency on an annual basis, but may retain interest amounts specified in 2 CFR 200.305 for administrative expenses. (2 CFR 200.305)

When required by the awarding agency, the district shall instead submit a request for reimbursement of actual expenses incurred. The district may also request reimbursement as an alternative to receiving advance payments. (2 CFR 200.305)

The Superintendent or designee shall maintain source documentation supporting the expenditure of federal funds, such as invoices, time sheets, payroll stubs, or other appropriate documentation.

Personnel

All district employees who are paid in full or in part with federal funds, including employees whose salary is paid with state or local funds but is used to meet a required match or in-kind contribution to a federal program, shall document the amount of time they spend on grant activities. (2 CFR 200.430)

Records

Except as otherwise provided in 2 CFR 200.333, or where state law or district policy requires a longer retention period, financial records, supporting documents, statistical records, and all other district records related to a federal award shall be retained for a period of three years from the date of submission of the final expenditure report or, for a federal award that is renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report. (2 CFR 00.333)
(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

**FEDERAL GRANT FUNDS (Continued)**

Audits

Whenever the district expends $750,000 or more in federal grant funds during a fiscal year, it shall arrange for either a single audit or a program-specific audit in accordance with 2 CFR 200.507 or 200.514. (2 CFR 200.501)

The Superintendent or designee shall ensure that the audit meets the requirements specified in 2 CFR 200.500-200.521.

Specified records pertaining to the audit of federal funds expended by the district shall be transmitted to the clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the audit period, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (2 CFR 200.512)

In the event that the audit identifies any deficiency, the Superintendent or designee shall promptly act to either correct the identified deficiency, produce recommended improvements, or demonstrate that the audit finding is invalid or does not warrant action. (2 CFR 200.26, 200.508, 200.511)

(9/16) 3/18

Board Adopted: August 1, 2018

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS OPERATIONS** **BP 3270**

## SALE AND DISPOSAL OF BOOKS, EQUIPMENT, AND SUPPLIES

The Board of Education believes that the maximum materials and information possible should be made available to enhance knowledge both to students and community. As elected representatives of the people of the district, the Board recognizes its responsibility to provide the most current and updated versions of textbooks and other instructional materials for students. The Board recognizes that it is the responsibility of the District to determine when instructional materials, equipment, and supplies are obsolete and if such materials, equipment, and supplies are usable or unusable for their intended purposes.

When district-owned books, equipment and supplies become unusable, obsolete, or no longer needed, the Superintendent or designee shall identify these items to the Governing Board, together with their estimated value and a recommendation that they be sold or disposed of by one of the methods prescribed in law and administrative regulations. With Board approval, the Superintendent or designee shall arrange for the sale or disposal of these items.

Instructional materials may be considered obsolete or unusable when they:

1. Contain information rendered inaccurate or incomplete by new discoveries or technologies.
2. Have been replaced by more recent adoptions of the same material and are of no foreseeable value in other instructional areas.
3. Contain demeaning, stereotyping, or patronizing references to any group of persons protected against discrimination by law or Board policy.
4. Are damaged beyond use or repair.
5. Are not aligned with the district's academic standards or course of study.

The Superintendent or designee shall establish procedures to be used when selling equipment for which the federal government has a right to receive all or part of the proceeds. These procedures shall ensure a reasonable amount of competition to result in the highest possible revenue.

*Legal Reference:*
*EDUCATION CODE*
*17540-17542 Sale or lease of personal property by one district to another*
*17545-17555 Sale of personal property*
*42291.5 Temporary school bus designation*
*42303 School bus sale to another district*
*60500 Determination of obsolescence*
*60510-60511 Donation or sale*
*60520-60521 Disposition of sale proceeds*
*60530 Methods of destruction*
*GOVERNMENT CODE*
*25505 District property; disposition; proceeds*
*UNITED STATES CODE, TITLE 40*
*484 Surplus property*
*CODE OF FEDERAL REGULATIONS, TITLE 34*
*80.32 Equipment acquired under a grant or subgrant*

Board Adopted: November 2, 1994
Date Revised: December 7, 2005, August 3, 2011

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS OPERATIONS** **AR 3270**

## SALE AND DISPOSAL OF BOOKS, EQUIPMENT, AND SUPPLIES

This Administrative Regulation is intended to provide school site administrators with guidance which will govern the disposal of obsolete instructional materials, equipment, and supplies.

District Property

The Governing Board may dispose of personal property belonging to the district by any of the following methods:

1. If the Board members attending a meeting unanimously agree that the property is worth no more than $2,500, the Board may designate any district employee to sell the property without advertising. (Education Code 17546)

2. The Board may advertise for bids and sell the property to the highest responsible bidder or reject all bids. (Education Code 17545)

   Notice for bids shall be posted in at least three public places in the district for at least two weeks or published at least once a week for at least two weeks in a newspaper having a general circulation in the district and, if possible, published within the district. (Education Code 17545)

   Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee. (Education Code 17546)

3. The Board may authorize the sale of the property by means of a public auction conducted by district employees, employees of other public agencies, or by contract with a private auction firm. Notice related to the auction shall be posted or published as described in item #2 above. (Education Code 17545)

4. Without advertising for bids, the Board may sell the property to agencies of federal, state or local government, to any other school district, or to any agency eligible under the federal surplus property law (40 USC 549. In such cases, the sale price shall equal the cost of the property plus estimated cost of purchasing, storing and handling. (Education Code 17540)

5. Without advertising for bids, the Board may sell or lease the property to agencies of federal, state, or local government or to any other school district. In such cases, the price and terms of the sale or lease shall be fixed by the Board and approved by the County Superintendent of Schools. (Education Code 17542)

6. If Board members unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of by dumping. (Education Code 17546)

**BUSINESS OPERATIONS** **AR 3270**

## SALE AND DISPOSAL OF BOOKS, EQUIPMENT, AND SUPPLIES (continued)

Equipment and Supplies

1. Determining Obsolescence
   The Chief Business Official or designee shall make a list of equipment/supplies for disposal which includes the quantity, type, and a detailed explanation of the reason for the determination.

2. Responsibility to Maintain Records
   A list shall be submitted to and kept on file at the district office along with the date of disposal and the method of disposal (given away, burned, etc.). The Chief Business Official or designee should use the most recent version of the obsolete materials template for recording the disposal.

3. Disposal Guidelines
   The Chief Business Official shall determine the appropriate disposal method as outlined in Board Policy 3270 as per California Education Code 60510.

Money received from the sale of surplus property shall be either deposited in the district reserve or general fund or credited to the fund from which the original purchase was made. (Education Code 17547)

Instructional Materials

1. Determining Obsolete Instructional Materials
   The Assistant Superintendent of Instructional Services or designee shall make a list of instructional materials for disposal which includes the number of materials, type of materials (textbooks, workbooks, etc.) and a detailed explanation of the reason for the "Obsolete Determination."

2. Responsibility to Maintain Records
   A list shall be submitted to and kept on file at the district office along with the date of disposal and the method of disposal (given away, burned, etc.). The Assistant Superintendent of Instructional Services or designee should use the most recent version of the obsolete materials template for recording the disposal.

3. Disposal Guidelines
   The Assistant Superintendent of Instructional Services shall determine the appropriate disposal method as outlined in Board Policy 3270 as per California Education Code 60510.

**BUSINESS OPERATIONS** **AR 3270**

**SALE AND DISPOSAL OF BOOKS, EQUIPMENT, AND SUPPLIES (continued)**

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be sold by the district, in which case all of the proceeds of the sale shall be available to acquire basic instructional materials, supplemental instructional materials, or technology-based materials. (Ed Code 60510, 60510.1, 60521)

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be donated to any governing board, county free library, or other state institution; any United States public agency or institution; any nonprofit charitable organization; or children or adults in California or foreign countries for the purpose of increasing literacy.

Any organization, agency, or institution receiving obsolete instructional materials donated from the district shall certify to the Board that it agrees to use the materials for educational purposes and make no charge to any persons to whom the materials are given or lent. (Education Code 60511)

At least 60 days before disposing of these instructional materials, the Superintendent or designee may notify the public of its intention to do so through a public service announcement on a local television station, in a local newspaper, or by another means the Board believes will most effectively reach the entities described above. The Board may also permit representatives of these entities and members of the public to address the Board regarding the distribution of these materials. (cf. 9323 - Meeting Conduct)

Surplus or undistributed obsolete instructional materials which are unusable or which cannot be distributed as specified above may be disposed of by either of the following: (Education Code 60530)

1. By being mutilated so as not to be salable and sold for scrap at the highest obtainable price.

2. By being destroyed by any economical means at least 30 days after the Board has given notice to all persons who have requested such notice.

School Buses

Upon receiving a state apportionment for the replacement of a school bus, the Board may sell the bus that is being replaced to another California school district if the following conditions are met: (Education Code 42303)

1. The other district is replacing a bus that is in service and has not been designated a temporary school bus pursuant to Education Code 42291.5.

**SALE AND DISPOSAL OF BOOKS, EQUIPMENT, AND SUPPLIES (continued)**

2. The bus being replaced by the other district is older than the bus that is being sold by this district.

3. The bus being replaced by the other district is not sold to a third school district.

4. The other district, by Board resolution, holds the state and this district harmless for any liability that may result from the bus that this district is selling.

5. The proceeds from the sale of the bus shall be used by this district for home-to-school transportation purposes.

6. Before the sale is finalized, the bus being sold is in compliance with all relevant provisions of the Vehicle Code and 13 CCR.

Board Adopted: November 2, 1994
Date Revised: December 7, 2005, August 3, 2011

# ENTERPISE ELEMENTARY SCHOOL DISTRICT
# BOARD POLICY

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3311**

## BIDS

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements for competitive bidding. (Public Contract Code 20116)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with Government Code 54202, and that meet the requirements for bidding procedures specified in law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders on the basis of a completed questionnaire and financial statements.

When calling for bids, the Superintendent or designee shall ensure that the bid specifications clearly describe in appropriate detail the quality, delivery, service required, and include all information of which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

### Award of Contract

Contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

However, the Board may let contracts to other than only the lowest responsible bidder in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)

2. When the contract is for any transportation service which involves an expenditure of more than $10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of a student who is to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)

**BIDS (continued)**

3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)

4. When procuring a lease-leaseback contract, in which case the Board shall award the contract based on objective criteria for determining the best combination of price and qualifications in accordance with Education Code 17400 and 17406

5. When procuring a design-build contract for a public works project in excess of $1,000,000 in accordance with Education Code 17250.20, in which case the Board may award the contract to either the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)

6. When procuring an alternative design-build contract for a public works project in excess of $5,000,000 in accordance with Education Code 17250.62, in which case the Board may award the contract to either the low bid or the best value, taking into consideration, at a minimum, design cost, general conditions, overhead, and profit as a component of the project price; technical design and construction expertise; and life-cycle costs (Education Code 17250.61, 17250.62)

**Protests by Bidders**

If the bidder believes that the award is not in compliance with law, Board policy, administrative regulation, or the bid specification, the bidder may protest the award. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protested documents in a timely manner shall constitute a waiver of the right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

**BIDS (continued)**

**Bids Not Required**

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase any personal property, including the lease of data-processing equipment or the purchase of materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor. (Public Contract Code 20118)

Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district and meet the cost effectiveness requirements specified in Government Code 4217.12. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on a cost and saving comparison finding specified in Government Code 4217.12. (Government Code 4217.12)

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

Date Adopted: September 3, 2008

Date Revised: May 28, 2025

# ENTERPISE ELEMENTARY SCHOOL DISTRICT
# ADMINISTRATIVE REGULATION

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3311**

## BIDS

### Advertised/Competitive Bids

The district shall advertise for any of the following: (Public Contract Code 20111)

1. A public project contract that involves an expenditure of $15,000 or more, including a contract for construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, or repair work involving a district owned, leased, or operated facility

2. A contract that exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following:

    a. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district

    b. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters

    c. Repairs that are not a public project, including maintenance

*Maintenance* means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. Maintenance includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance also includes landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems. Maintenance does not include painting, repainting, or decorating, other than minor repainting; janitorial or custodial services; and protection provided by security forces. (Public Contract Code 20115, 22002)

### Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation that is circulated in the county. Additionally, the Superintendent or designee may post the notice on the district's website or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and website where bids will be opened. (Public Contract Code 20112)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

**BIDS (continued)**

For lease-leaseback, design-build, and alternative design-build projects, the notice shall additionally specify that the project is subject to skilled and trained workforce requirements. (Education Code 17250.25, 17250.62, 17407.5; Public Contract Code 2600, 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify in writing the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold (Public Contract Code 22152)

2. All bids for construction work shall be presented under sealed cover (Public Contract Code 20111)

   The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20111, 20112)

   The bid shall be accompanied by a form of bidder's security, including either cash, a cashier's check payable to the district, a certified check made payable to the district, or a bidder's bond executed by an admitted surety insurer and made payable to the district. The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111, 20112)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded (Public Contract Code 20111.5)

4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time (Public Contract Code 20112)

5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted (Public Contract Code 20117)

6. If the district requires that the bid includes prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid (Public Contract Code 20103.8)

   In the absence of such a specification, only the method provided in Item #6a below shall be used. (Public Contract Code 20103.8)

   a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items

   b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose

**BIDS (continued)**

of determining the lowest bid price

c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened (Public Contract Code 20103.8)

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

7. In determining the lowest bid, the district shall consider only responsive bids that conform to bid specifications and are submitted by responsible bidders who have demonstrated trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the public works contract

a. When a bid is determined to be nonresponsive, the Superintendent or designee shall notify the bidder and give the bidder an opportunity to respond to the determination

b. When the lowest bidder is determined to be nonresponsible, the Superintendent or designee shall notify the bidder of the right to present evidence of the bidder's responsibility at a hearing before the Board

8. After being opened, all submitted bids become public records pursuant to Government Code 7920.530 and shall be made available for public review pursuant to law, Board policy, and administrative regulation

**Prequalification Procedure**

When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized prequalification questionnaire and financial record which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

When any public project involves an expenditure of $1,000,000 or more and is funded or reimbursed wholly or partly by state general funds, the School Facilities Program funds, or other future state school bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the

**BIDS (continued)**

following requirements shall apply: (Public Contract Code 20111.6)

1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in Public Contract Code 4113 or Business and Professions Code 7056 or 7057, as applicable, shall submit a standardized questionnaire and financial statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids

2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids

If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids. (Public Contract Code 20111.6)

For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

**Limitation on Use of Sole Sourcing**

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code 3400)

1. Does not directly or indirectly limit bidding to any one specific concern

2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

   In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and

**BIDS (continued)**

conforms substantially to the detailed requirements in the bid specification. (Public Contract Code 3002)

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name, also known as sole sourcing, if the Board has made a finding, described in the invitation for bids or request for proposals (RFP), that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, so long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

**Bids Not Required**

Without taking estimates or advertising for bids, supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount. (Public Contract Code 20118.3)

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

Date Adopted: September 3, 2008

Date Revised: May 28, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3311.1**

## UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

In awarding contracts for public works projects involving district facilities, the Governing Board desires to obtain the best value to the district and ensure the qualifications of contractors to complete the project in a satisfactory manner. The Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act (UPCCAA) pursuant to Public Contract Code 22030-22045, including the informal bidding procedures when allowed by law.

The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements for competitive bidding. (Public Contract Code 22033)

If after the first invitation of bids pursuant to informal or formal bidding procedures under UPCCAA all bids are rejected, the Board may, by passage of a resolution by four-fifths vote, declare the project can be performed more economically by the employees of the district. (Public Contract Code 22038)

Projects awarded through UPCCAA shall be subject to the cost accounting procedures established by the California Uniform Construction Cost Accounting Commission. (Public Contract Code 22030)

### Emergency Actions

When formal bids are required by law, but an emergency necessitates immediate repair or replacements, the Board may, upon a four-fifths vote of the Board, proceed to replace or repair a facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the Board and/or contractor. The emergency action shall subsequently be reviewed by the Board in accordance with Public Contract Code 22050 and shall be terminated at the earliest possible date that conditions warrant, so that the remainder of the emergency action may be completed by giving notice for bids to let contracts. (Public Contract Code 1102, 22035, 22050)

Date Adopted: May 28, 2025

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3311.1**

## UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

*Public project*, in regard to the Uniform Public Construction Cost Accounting Act (UPCCAA), means any of the following: (Public Contract Code 22002)

1. Construction, reconstruction, erection, installation, alteration, renovation, improvement, demolition, and repair work involving any district-owned, leased, or operated facility

2. Painting or repainting of any district-owned, leased, or operated facility

Procedures for awarding contracts for public works projects shall be determined on the basis of the amount of the project, as follows:

1. Public projects of $75,000 or less may be performed by district employees by force account, negotiated contract, or purchase order (Public Contract Code 22032)

2. Contracts for public projects of $220,000 or less may be awarded through the following informal procedures: (Public Contract Code 22032, 22034, 22038)

    a. The Superintendent or designee shall prepare a notice inviting informal bids, which describes the project in general terms, explains how to obtain further information about the project, and states the time and place for the submission of bids

        This notice shall be disseminated by mail, fax, or email to either or both of the following:

        i. All contractors on a list of qualified contractors maintained by the district for the category of work being bid, unless the product or service is proprietary, at least 10 calendar days before bids are due

        ii. All construction trade journals identified pursuant to Public Contract Code 22036

    b. The district shall review the informal bids that were submitted and award the contract as follows:

        i. The contract shall be awarded to the lowest responsible bidder

            If two or more bids are the same and the lowest, the district may accept the one it chooses.

        ii. If all bids received through the informal process are in excess of $220,000, the contract may be awarded to the lowest responsible bidder, provided that the Governing Board adopts a resolution with a four-fifths vote to award the contract at $235,000 or less and the Board determines the district's cost estimate

is reasonable

iii. At its discretion, the district may reject all bids presented and declare that the project can be more economically performed by district employees, provided that the district notifies an apparent low bidder, in writing, of the district's intention to reject the bid

Such notice shall be mailed at least two business days prior to the hearing at which the district intends to reject the bid.

iv. If no bids are received through the informal bid procedure, the project may be performed by district employees by force account or negotiated contract

3. Public projects of more than $220,000 shall, except as otherwise provided by law, be subject to formal bidding procedures, as follows: (Public Contract Code 22032, 22037, 22038)

a. The Superintendent or designee shall prepare a notice inviting formal bids, which states the time and place for receiving and opening sealed bids and distinctly describe the project
The notice shall be disseminated in both of the following ways:

i. Through publication in a newspaper of general circulation in the district's jurisdiction or, if there is no such newspaper, then by posting the notice in at least three places designated by the district as places for posting its notices

Such notice shall be published at least 14 calendar days before the date that bids will be opened.

ii. By mail and electronically, if available, by either fax or email, to all construction trade journals identified pursuant to Public Contract Code 22036

Such notice shall be sent at least 15 calendar days before the date that bids will be opened.

In addition to the notice required above, the district may give such other notice as it deems proper.

b. The district shall review the formal bids that were submitted and award the contract as follows:

i. The contract shall be awarded to the lowest responsible bidder

If two or more bids are the same and the lowest, the district may accept the one it chooses.

**UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES (con't)**

ii. At its discretion, the district may reject all bids presented and declare that the project can be more economically performed by district employees, provided that the district notifies an apparent low bidder, in writing, of the district's intention to reject the bid

Such notice shall be mailed at least two business days prior to the hearing at which the district intends to reject the bid.

iii. If no bids are received through the formal bid procedure, the project may be performed by district employees by force account or negotiated contract

Date Adopted: May 28, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3312**

# CONTRACTS

The Governing Board recognizes its responsibility to enter into contracts on behalf of the district for the acquisition of equipment, supplies, services, and other resources necessary for the achievement of district goals. In exercising this authority to enter into a contract, the Board shall ensure that the district's interests are protected and that the terms of the contract conform to any applicable legal standards, including, but not limited to, bidding requirements in Public Contract Code 20111.

Board members and district employees involved in the making of contracts on behalf of the district shall comply with applicable law and the district's conflict of interest policy, as specified in Board Bylaw 9270 - Conflict of Interest.

The Board may, by a majority vote, delegate to the Superintendent or designee the authority to enter into contracts on behalf of the district. To be valid or to constitute an enforceable obligation against the district, all such contracts must be approved and/or ratified by the Board. (Education Code 17604, 17605, 35161)

Unless otherwise exempt from disclosure under state or federal law, executed contracts for the purchase of goods or services, even if the contract contains provisions specifying that the contract is confidential or a proprietary record of the vendor, are public records to which members of the public shall have access. (Government Code 7928.801)

No contract shall prohibit a district employee from disparaging the goods or services of any contracting party. (Education Code 35182.5)

If the district utilizes a private labor compliance entity, the Superintendent or designee shall verify that the entity does not have a conflict of interest. (Labor Code 1771.8)

A *private labor compliance entity* is a third-party company hired by a district to perform labor compliance and enforcement activities on public works projects on the district's behalf. (Labor Code 1771.8)

A *conflict of interest* is a situation in which a private labor compliance entity performs labor compliance work under contract for both the district and a contractor who is bidding a public works project for the district. (Labor Code 1771.8)

If the district's private labor compliance entity seeks to respond to an alleged conflict of interest, the Superintendent or designee shall confer with the entity and/or the contractor regarding the applicable contracts and relevant public works law. (Labor Code 1771.8)

## Contracts for Non-Nutritious Foods or Beverages

The district shall not enter into or renew a contract for the sale of foods or beverages that do not meet applicable nutritional standards specified in Education Code 49431-49431.7, 5 CCR 15500-15501 or 15575-15578, or 7 CFR 210.11 or 220.12, unless the contract specifies that such sale will occur off campus or outside the time restriction specified in applicable law.

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3312**

**CONTRACTS (continued)**

Before the district enters into or renews a contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious foods as defined in law, the Board shall ensure that the district has sufficient internal controls in place to protect the integrity of public funds and to ensure that funds raised as a result of the contract benefit public education. (Education Code 35182.5)

The Superintendent or designee shall develop the district's internal control procedures to protect the integrity of public funds. Such internal controls may include, but are not limited to, the following:

1. Procedures that produce accurate and reliable financial statements and, at the same time, safeguard the assets, financial resources, and integrity of every employee responsible for handling money or property

   Control systems shall be systematically evaluated and revised to keep pace with the changing responsibilities of management.

2. Procedures to ensure that district personnel do not handle cash or product at the school site

   The contract shall specify that the vendor stock the machines and shall provide cash accounting, along with a check, for district proceeds directly to the control office.

To ensure that funds raised by the contract benefit district schools and students:

1. The Superintendent or designee may invite parents/guardians, students, staff, and interested community members to make recommendations regarding the contract, including recommendations as to how the funds will be spent in a manner that benefits public education

2. Prior to ratifying the contract, the Board shall designate the specific programs and activities that will be funded by the proceeds of the contract and consider how the contract reflects the district's vision and goals

3. The contract shall specify that the contractor report, on a quarterly basis, to the Superintendent or designee the number of food items or beverages sold within the district and the amount of money raised by the sales

   The Superintendent or designee shall report these amounts to the Board on a regular basis.

4. The Superintendent or designee shall ensure that the contract does not limit the ability of student and parent organizations to plan and operate fundraising activities

Any contract for the sale or advertisement of non-nutritious foods or carbonated or non-nutritious beverages shall be entered into on a competitive bid basis pursuant to Public Contract Code 20111 or through the issuance of a Request for Proposal. (Education Code 35182.5)

CONTRACTS (continued)

**Public Hearing for the Making or Renewal of Each Contract**

The Board shall not enter into or renew any contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, on non-nutritious foods until parents/guardians, students, and members of the public have had an opportunity to comment on the contract at a public hearing held during a regularly scheduled Board meeting. The Board shall clearly, and in a manner recognizable to the general public, identify in the agenda the contract to be discussed at the meeting. (Education Code 35182.5)
The public hearing shall include, but not be limited to, a discussion of the nutritional value of foods and beverages sold within the district; the availability of fresh fruit, vegetables, and grains in school meals and snacks, including locally grown and organic produce; the amount of fat, sugar, and additives in the foods and beverages discussed; and barriers to student participation in school breakfast and lunch programs. (Education Code 35182.5)

The contract shall be a public record and shall be accessible to the public. The district may not include a confidentiality clause that would prevent the district or a district school from making any part of the contract public and may not enforce any such clause included by a contracting party. (Education Code 35182.5; Government Code 7928.801)

**Contracts for Electronic Products or Services**

The Board shall not enter into a contract for electronic products or services that requires the dissemination of advertising to students, unless the Board: (Education Code 35182.5)

1. Enters into the contract at a noticed public hearing of the Board

2. Makes a finding that the electronic product or service is or would be an integral component of the education of students

3. Makes a finding that the district cannot afford to provide the electronic product or service unless it contracts to permit dissemination of advertising to students

4. As part of the district's normal, ongoing communication to parents/guardians, provides written notice that the advertising will be used in the classroom or other learning centers

5. Offers parents/guardians the opportunity to request in writing that the student not be exposed to the program that contains the advertising

   A request shall be honored for the school year in which it is submitted, or longer if specified, but may be withdrawn by the parents/guardians at any time.

**Contracts for Digital Storage and Maintenance of Student Records**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3312**

**CONTRACTS (continued)**

The district may enter into or renew a contract with a third party for the purpose of providing services, including cloud-based services, for the digital storage, management, and retrieval of student records and/or to provide digital educational software that authorizes a third-party provider of digital educational software to access, store, and use student records. For these purposes, student records include any information maintained by the district that is directly related to a student and any information acquired directly from the student through the use of instructional software or applications assigned to the student by a teacher or other district employee, and do not include de-identified information. (Education Code 49073.1)

Any such contract shall contain all of the following: (Education Code 49073.1)

1. A statement that student records continue to be the property of and under the control of the district

2. If applicable, a description of the means by which students may retain possession and control of their own student-generated content, as defined in Education Code 49073.1, including options by which a student may transfer student-generated content to a personal account

3. A prohibition against the third party using any information in the student record for any purpose other than those required or specifically permitted by the contract

4. A description of the procedures by which a parent/guardian or a student age 18 years or older may review personally identifiable information in the student's records and correct erroneous information

5. A description of the actions the third party will take, including the designation and training of responsible individuals, to ensure the security and confidentiality of student records

6. A description of the procedures for notifying the affected parent/guardian, or the affected student if age 18 years or older, in the event of an unauthorized disclosure of the student's records

7. A certification that a student's records shall not be retained or available to the third party upon completion of the terms of the contract and a description of how that certification will be enforced, except that these requirements shall not apply to student-generated content if the student chooses to establish or maintain an account with the third party for the purpose of storing that content

8. A description of how the district and the third party will jointly ensure compliance with the federal Family Educational Rights and Privacy Act, 20 USC 1232g

9. A prohibition against the third party using personally identifiable information in student records to engage in targeted advertising

## CONTRACTS (continued)

### Contracts for Personal Services

In order to achieve cost savings, the district may enter into or renew a contract for any personal service that is currently or customarily performed by classified employees if the contract does not displace district employees and meets other conditions specified in Education Code 45103.1. To enter into or renew such a contract, the Board shall ensure that the district meets the conditions specified in Education Code 45103.1.

In addition, the district may enter into or renew any contract for personal service without meeting the conditions described above, if any of the following conditions exist: (Education Code 45103.1)

1. The contract is for new district functions and the Legislature has specifically mandated or authorized the performance of the work by independent contractors

2. The services contracted are not available within the district, cannot be performed satisfactorily by district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the district

3. The services are incidental to a contract for the purchase or lease of real or personal property, including, but not be limited to, agreements to service or maintain office equipment or computers that are leased or rented

4. The district's policy, administrative, or legal goals and purposes cannot be accomplished through the utilization of persons selected pursuant to the regular or ordinary district hiring process

5. The nature of the work is such that the criteria for emergency appointments, as defined in Education Code 45103.1, apply

6. The contractor will provide equipment, materials, facilities, or support services that could not feasibly be provided by the district in the location where the services are to be performed

7. The services are of such an urgent, temporary, or occasional nature that the delay that would result from using the district's regular or ordinary hiring process would frustrate their very purpose

Date Adopted: September 3, 2008

Date Revised: May 28, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3320**

# CLAIMS AND ACTIONS AGAINST THE DISTRICT

The Governing Board desires to conduct district operations in a manner that minimizes risk, protects district resources, and promotes the health and safety of students, staff, and the public. Any and all claims for money or damages against the district shall be presented to and acted upon in accordance with the Government Claims Act or other applicable state or district procedures, as well as the district's joint powers authority (JPA) agreement or other insurance coverage.

Any claim for money or damages not governed by the Government Claims Act (Government Code 810-996.6) or specifically excepted by Government Code 905 shall be presented and acted upon in accordance with district-established procedures consistent with the manner and time limitations specified in the accompanying administrative regulation, unless a procedure for processing such claims is otherwise provided by state or federal law or regulation. (GC 935)

Upon notice to the district of a claim, the Superintendent or designee shall take all necessary steps to protect the district's rights under any applicable contractual agreements, including the right to indemnification from its insurance or other coverage provider.

In accordance with Government Code 935.4, the Board delegates to the Superintendent the authority to allow, compromise, or settle claims of $50,000 or less pursuant to any conditions of coverage in the district's JPA agreement or insurance coverage.

## Roster of Public Agencies

Within 10 days of any change in the name of the district, the mailing address of the Board, or the names and addresses of the Board president, the Board clerk or secretary, or other Board members, the Superintendent or designee shall file the updated information with the Secretary of State and the County Clerk. (GC 53051)

Date Adopted: April 2, 2014
Date Revised: August 3, 2016, May 29, 2024

# ENTERPISE ELEMENTARY SCHOOL DISTRICT
# ADMINISTRATIVE REGULATION

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3320**

## CLAIMS AND ACTIONS AGAINST THE DISTRICT

Any claim against the district for money or damages shall be filed and acted upon in accordance with the Government Claims Act (Government Code 810-996.6) or other applicable law. Claims that are specifically excepted from the Government Claims Act by Government Code 905 and are not governed by any other statute or regulation may be filed and acted upon in accordance with district-established procedures pursuant to Government Code 935.

Unless otherwise provided by law, a written claim shall be presented to and acted upon by the Governing Board in accordance with such procedures prior to filing a lawsuit against the district for money or damages.

### Time Limitations

The following time limitations apply to the presentation of claims for money or damages against the district:

1. Claims relating to a cause of action for death or for injury to a person, personal property, or growing crops shall be presented to the Board not later than six months after the accrual of the cause of action. (GC 911.2)

2. Claims relating to any other cause of action subject to the Government Claims Act shall be filed not later than one year after the accrual of the cause of action. (GC 911.2)
3. Claims relating to childhood sexual assault and other causes of action which are specifically excepted from the Government Claims Act by Government Code 905 but are subject to a claims presentation procedure in another statute or regulation shall be presented to the Board in accordance with the applicable governing statute or regulation. (GC 905)
4. Claims relating to any cause of action which is specifically excepted from the Government Claims Act by Government Code 905 but is not governed by any other claim presentation statute or regulation shall be presented to the Board within the time limits specified in items #1 and 2 above, depending on the applicable cause of action. (GC 911.2, 935)

### Receipt of Claims

A claim shall be deemed presented and received when delivered to the district office or deposited in a post office, mailbox, sub-post office, substation, mail chute, or other similar facility maintained by the U.S. government, in a sealed envelope properly addressed to the district office with postage paid, or when otherwise actually received in the district office or by the Board secretary or clerk. (GC 915, 915.2)

A claim may be submitted electronically in the manner specified by the Superintendent or designee. (GC 915, 915.2)

## CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

Upon receipt of a claim against the district pursuant to the Government Claims Act, the Superintendent or designee shall promptly provide written notice to the district's joint powers authority or insurance carrier in accordance with the applicable conditions of coverage.

### Review of Contents of the Claim

The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code 910 and 910.2:

1. The name and post office address of the claimant

2. The post office address to which the person presenting the claim desires notices to be sent

3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted

4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim

5. The name(s) of the district employee(s) causing the injury, damage, or loss, if known

6. The amount claimed if it totals less than $10,000, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds $10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a limited civil case of $25,000 or less.

7. The signature of the claimant or the person acting on the claimant's behalf

### Notice of Claim Insufficiency

If a claim is found insufficient or not to satisfy the form requirements under Government Code 910 and 910.2, the Board or its designee shall, within 20 days of receipt of the claim, provide a notice in the manner specified in Government Code 915.4 that states the particular defects or omission in the claim. (GC 910.8, 915.4)

The Board shall not act upon the claim until at least 15 days after such notice is given. (GC 910.8)

## CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

### Amendment to Claims

Within the time limits provided in the section "Time Limitations" above or prior to final action by the Board, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim. (GC 910.6)

### Late Claims

When a claim that is required to be presented not later than six months after the accrual of the cause of action, as specified in the section "Time Limitations" above, is not presented within that time, an application to present a late claim may be presented to the Board, in the manner specified in Government Code 915 and 915.2, within a reasonable time not to exceed one year after the accrual of the cause of action. The application shall include the proposed claim and shall state the reason for the delay in presenting the claim. (GC 911.4, 915, 915.2)

If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its designee may, within 45 days, give written notice that the claim was not presented timely and that it is being returned without further action. (GC 911.3)

The Board shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period. (GC 911.6)

The Board shall grant the application to present a late claim where one or more of the following conditions are applicable: (GC 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant's failure to present the claim within the time limit.

2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim.

3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason the person failed to present the claim.

4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim.

## CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code 911.8 and in the manner specified in Government Code 915.4. (GC 911.8, 915.4)

If the Board does not take action on the application to present a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement. (GC 911.6)

### Action on Claims

Within 45 days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement between the district and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations. (GC 912.4)

The Board may act on the claim in one of the following ways: (GC 912.4, 912.6)

1. If the Board finds that the claim is not a proper charge against the district, the claim shall be rejected.

2. If the Board finds that the claim is a proper charge against the district and is for an amount justly due, the claim shall be allowed.

3. If the Board finds that the claim is a proper charge against the district but is for an amount greater than is justly due, the Board shall either reject the claim or allow it in the amount justly due and reject it as to the balance.

4. If legal liability of the district or the amount justly due is disputed, the Board may reject or compromise the claim.

5. If the Board takes no action on the claim, the claim shall be deemed rejected.

If the Board allows the claim in whole or in part or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the Board may require the claimant to accept it in settlement of the entire claim. (GC 912.6)

The Board or its designee shall transmit to the claimant written notice of action taken or of inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall be provided in the manner specified in Government Code 915.4. (GC 913, 915.4)

**CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)**

Date Adopted: April 2, 2014
Date Revised: August 3, 2016, May 29, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3350**

## TRAVEL AND OTHER EXPENSES

The Governing Board or designee shall authorize payment for actual and necessary expenses, including travel, incurred by any employee performing authorized services for the district.

Travel

The Superintendent or designee may approve employee requests to attend meetings in accordance with the adopted budget.

Expenses shall be reimbursed within limits approved by the Board. The Superintendent or designee shall establish procedures for the submission and verification of expense claims. He/she may authorize an advance of funds to cover necessary expenses.

The Board may establish an allowance on either a mileage or monthly basis to reimburse authorized employees for the use of their own vehicles in the performance of assigned duties.

Other Expenses

Expenses incurred other than travel may be reimbursed to employees upon prior approval of the department administrator or other designee.

Credit Card Use

Credit cards are to be issued in the name of the agency, and may also include the name of the individual employed in that agency.

Specific personnel within the agency should be authorized to use the credit cards.

Credit cards should be used only as necessary if normal purchasing options cannot be utilized.

Credit cards must be kept in a secure place.

Credit cards must be logged in and out by the individual responsible for the card.

Credit card receipts must be itemized with each purchase listed and priced and total tax and delivery charges included, if applicable.

Each credit card purchase should be limited to a maximum of $5,000. Purchases in excess of the maximum must be approved by the department manager and/or superintendent prior to the transaction.

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3350**

**TRAVEL AND OTHER EXPENSES (continued)**

The business manager or designee must review and approve all credit card charges monthly.

Credit card accounts are to be maintained in a manner that facilitates a clear audit trail.

Credit card balances should be paid before any interest accrues.

Authorized employees may use district credit cards while attending to district business. Under no circumstances may personal expenses be charged on district credit cards.

Legal Reference:
EDUCATION CODE
*44016 Travel expense*
*44032 Travel expense payment*
*44033 Automobile allowance*
*44802 Student teacher's travel expense*

Date Adopted: September 1, 2004

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3440**

## INVENTORIES

In order to provide for the proper tracking and control of district property, the Superintendent or designee shall maintain an inventory of equipment in accordance with law for the following:

1. All equipment items currently valued in excess of $1,500 (EC 35168)

2. All equipment items purchased with state and/or federal categorical funds that have a useful life of more than one year with an acquisition cost of $500 or more per unit

Additionally, the Superintendent or designee may maintain a list of specific items which shall be inventoried for internal control purposes regardless of their initial cost or current value.

The inventory shall contain a record of the following information: (EC 35168; 5 CCR 3946; 2 CFR 200.313)

1. Model/name and type/description of the property

2. Serial/identification number

3. Original cost of the item of equipment or a reasonable estimate if the original cost is unknown

4. Date of acquisition

5. Location of use

6. The date and method of disposal

In addition to the information specified in Items #1-6 above, the following information shall be recorded for equipment acquired with state and/or federal categorical funds unless otherwise specified in law: (5 CCR 3946; 2 CFR 200.313)

1. Source of the property (funding source), including any applicable federal award identification number

2. Titleholder

3. Percentage of federal participation in the cost of the property for the federal award under which the property was acquired

4. Use and current condition of property

**INVENTORIES (continued)**

5. Transfer, replacement, or disposition of obsolete or unusable equipment

6. Any ultimate disposition data, including the sale price of the property upon disposition and method used to determine current fair market value

At the time of purchase, the Superintendent or designee may affix a label to the equipment containing the identification number and the district name. Equipment items purchased with categorical program funds should also be labeled with the name of the project in accordance with 5 CCR 3946.

**Physical Inventory**

At least once every two years, a physical inventory of equipment shall be conducted and the results reconciled with the property records. (2 CFR 200.313)

The Superintendent or designee shall establish procedures for conducting the physical inventory which shall include, but not be limited to, designation of person(s) responsible for coordinating and conducting the inventory, preparation and distribution of count sheets, procedures for implementing the inventory, and procedures for conducting a recount to substantiate the validity of the inventory.

The Superintendent or designee may investigate any differences between the quantities determined by the physical inspection and those in the accounting records.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3470**

## DEBT ISSUANCE AND MANAGEMENT

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

### Purpose and Goals

The purpose of this Debt Issuance and Management Policy ("Policy") is to provide a functional tool for debt management and capital planning, as well as to enhance the District's ability to manage its debt in a conservative and prudent manner.

The District shall pursue the following goals in furtherance of the purposes hereof:

1. To fund capital improvements from general obligation bonds or such other debt not secured by its General Fund in order to preserve the availability of its General Fund for operating and other purposes not permitted to be funded by such bonds.
2. To attain the best possible credit rating for each debt issue in order to reduce interest costs, while preserving financial flexibility and meeting capital funding requirements.
3. To monitor the statutory debt limit in relation to projected assessed valuation within the District and the tax burden needed to meet ongoing debt service requirements.
4. To consider market conditions and District cash flows when timing the issuance of debt.
5. To consult with financial advisors regarding maturity schedules on proposed debt in order to afford the District with the best overall debt structure.
6. To consider the relationship between the term of debt issued to finance capital improvements with the useful lives of those improvements, while considering repair and replacement costs of those assets to be incurred in the future.
7. To assess and consider available financial alternatives, including categorical grants, revolving loans or other State/federal aid, to the extent they exist, so as to minimize the use of the District's General Fund.
8. To consider the District's ability to expend the funds obtained in a timely, efficient, and economical manner, as well as consistent with Federal tax law.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3470**

**DEBT ISSUANCE AND MANAGEMENT (continued)**

**Authorization**

*1. Authority and Purposes of the Debt*

The laws of the State of California authorize the issuance of debt by the District, and confer upon it the power and authority to make lease payments, contract debt, borrow money, and issue bonds for public improvement projects and to provide for the District's operational cash flows in order to maintain a steady and even cash flow balance. Under these provisions, the District may issue debt to (i) pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, equipping, and/or maintaining such capital improvements; (ii) refund existing debt; or (iii) provide for cash flow needs. Such debt issuance may also include appropriate and authorized issuance costs.

*2. Types of Debt Authorized*

A. Short-Term Debt: The District may issue short-term debt, which may include tax and revenue anticipation notes ("TRANs"), when such instruments allow the District to meet its cash flow requirements. However, the District's general objective is to manage its cash position in a manner so that internally generated cash flow is sufficient to meet expenditures. The District may also issue short-term debt in the context of funding shorter-term acquisitions, such as equipment, or interim funding for capital costs that will ultimately be replaced with long-term debt (i.e., maturities longer than one year). The District may also participate in an annual pooled financing of delinquent property taxes to the extent the chief business officer (CBO), or his or her designee, determines such financing produces significant benefit to the District.

B. Long-Term Debt: Debt may be used to finance capital facilities, projects, and equipment where it is appropriate to spread the cost of the projects over more than one budget year. In so doing, the District recognizes that future taxpayers who will benefit from the investment will pay a share of its cost. The District may issue long-term debt which includes, but is not limited to, general obligation bonds ("GO Bonds"). GO Bonds may be issued under the State Constitution (Article XIII A), either (i) under Section 1(b)(2) ("Proposition 46"), which requires at least a two-thirds (66.7%) majority, or (ii) under Section 1(b)(3) ("Proposition 39"), which requires approval by at least 55% majority of voters.

The District, or the Governing Board, may also, in addition to issuance of GO Bonds, (i) issue bond anticipation notes ("BANs") or grant anticipation notes ("GANs"); (ii) enter into long-term lease or lease-purchase financings ("Financing Leases"); (iii) cause the delivery of Certificates of Participation ("COPs"); (iv) issue or participate in lease revenue bonds ("LRBs"); (v) issue land secured bonds, such as special tax revenue bonds under the Mello-Roos Community Facilities Act of 1982 ("Mello-Roos Bonds"); (vi) limited obligation bonds under applicable assessment statutes ("Assessment Bonds"); or (vii) issue tax-increment

**DEBT ISSUANCE AND MANAGEMENT (continued)**

financings, conduit financings, other revenue bonds, or other long-term debt, to the extent permitted by law.

C. Lease Financings: Financing Leases for facilities and equipment are appropriate for facilities or equipment for which there is insufficient time to obtain voter approval or in instances where obtaining voter approval is not feasible. If and when voter approved debt proceeds become subsequently available, the District will consider using such proceeds to refund, redeem, or pay the Financing Leases, where feasible, in order to alleviate the burden to the General Fund.

D. Identified Repayment Source: The District will, when feasible, issue debt with a defined revenue source in order to preserve the use of General Fund supported debt. Examples of revenue sources include voter approved taxes that repay general obligation or special tax bonds.

E. Use of Other Financing Structures: The District may use other financing structures permitted by federal or state law (such as tax credit obligations or other obligations that provide a subsidized interest payment) upon consideration of financing costs versus tax-exempt GO Bonds, LRBs and/or COPs or that are a method to finance a program in a manner not otherwise available (e.g., QZABs, BABs, QSCBs, or other qualified tax credit bonds).

F. Compounding Debt: The District may issue Capital Appreciation Bonds or other debt structures with compounding of interest ("CABs") after compliance with notice, disclosure, and public hearing requirements of state law.

Notwithstanding the above, the District shall not issue any COPs, TRANs, LRBs, revenue bonds, or other non-voter approved debt in any fiscal year, or for the following fiscal year, if the District has a qualified or negative certification from the County, unless the County Superintendent certifies, in accordance with applicable law, regulations, and other criteria established by the Superintendent of Public Instruction, that the District's repayment of such proposed debt is probable.

## *Alignment with District Facilities Program and Budget*

Decisions regarding the issuance of debt for the purpose of financing capital improvements shall be aligned with current needs for acquisition, development, and/or improvement of District property and facilities as identified by the District in sources and information including the District's facilities master plan or other needs assessment, as applicable, the projected costs of those needs, schedules for the projects, and expected resources.

## DEBT ISSUANCE AND MANAGEMENT (continued)

When considering a debt issuance, the Board and the Superintendent or designee shall consider both the short-term and long-term implications of the debt issuance and additional operating costs associated with new projects. Such evaluation may include, but is not limited to, the projected ratio of annual debt service and tax burden on the District's taxpayers, and the ratio of annual debt service secured by the general fund to general fund expenditures.

### *1. Structure of Debt Issues*

A. Maturity of Debt: Decision on the duration of a debt issue shall be made with considerations of the economic or useful life of the improvement or asset that the issue is financing. The District shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue. The final maturity of GO Bonds issued pursuant to the Education Code will be limited to 25 years when such bonds are issued under the Education Code, unless such longer maturity is then permitted by the Education Code. The final maturity of GO Bonds issued under the Government Code will be limited to 40 years, unless such longer maturity is then permitted by the Government Code; provided, that the maturity of GO Bonds may not exceed 25 years if such GO Bonds are CABs. GO Bond issues will generally be sized upon consideration of capital improvement expenditure requirements. Decisions regarding the final maturity of Financing Leases shall take into consideration the useful life of the assets to be financed.

B. Debt Service Structure: The District shall design the financing schedule and repayment of debt so as to take advantage of market conditions, provide flexibility, and, as practical, to recapture or maximize its debt capacity for future use.

C. Capitalized Interest: Certain types of financings may require that interest on the debt be paid from capitalized interest until the District has use and possession of a pledged asset. Alternatively, the District may pledge assets using an asset transfer structure as collateral for the issue.

D. Call Provisions: The CBO, based upon analysis from the financial advisor of the economics of callable versus non-callable features, shall consider call provisions for each debt issue.

### *2. Sale of Securities*

A. Public Sale: There are two methods of a public sale of debt, competitive and negotiated. Both methods of sale shall be considered for all issuance of debt to the extent allowed by law, as each method has the potential to achieve the lowest financing cost given the particular economic and other conditions.

**DEBT ISSUANCE AND MANAGEMENT (continued)**

B. Private Placement: While not used as frequently as negotiated or competitive public sale methods, a private placement sale may be appropriate when total borrowing costs are estimated to be lower than the public sale option.

### *3. Credit Enhancements*

The District may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

### *4. Impact on Operating Budget and District Debt Burden*

When considering any debt issuance, the potential impact of debt service and additional operating costs associated with new projects on the operating budget of the District, both short and long-term, will be considered. The projected ratio of annual debt service secured by the General Fund to General Fund expenditures is one method, as is the additional debt burden of overlapping agencies on taxpayers.

### *5. Debt Limitation*

The District's total outstanding bonded debt (i.e., the principal portion only) is statutorily limited to 1.25% for non-unified and 2.50% for unified school districts of the assessed valuation of the taxable property of the District. Other obligations such as TRANs and lease obligations in support of COPs or LRBs generally do not count against this limit (EC §§ 15102, 15106). The District may considering getting a waiver of this limit from the California Department of Education.

### *6. Debt Issued to Finance Operating Costs*

The District shall not finance general operating costs from debt (TRANs) having maturities greater than fifteen months from the date of issuance. Pursuant to law, the District may deem it necessary or desirable to finance cash flow requirements under certain conditions. Such cash flow borrowing must be payable from taxes, income, revenue, cash receipts and other moneys attributable to the fiscal year in which the debt is issued. General operating costs include, but are not limited to, those items normally funded in the District's annual operating budget.

### Internal Controls

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the District in maintaining the effectiveness and efficiency of operations, properly expending funds,

reliably reporting debt incurred by the District and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

Prior to the sale of any debt issue, the Superintendent or designee shall cause a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC) to be submitted. Such report shall include a certification that the District has adopted a policy concerning the use of debt and that the contemplated debt issuance is consistent with that policy. (GC § 8855)

On or before January 31, of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the prior reporting period, from July 1 to June 30. (GC § 8855)

In addition, the Superintendent or designee shall ensure that the District completes, as applicable, all performance and financial audits that may be required for any debt issued by the District, including disclosure requirements applicable to a particular transaction.

The Superintendent or designee may annually report to the Board regarding debts issued by the District, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the District's bonds, market update and refunding opportunities, new development for California bond financings, and the District's compliance with post-issuance requirements.

### *1. Annual Review and Reporting*

The Policy shall be reviewed as needed. The CBO is the designated administrator of the Policy and has overall responsibility, with the Board's approval, for decisions related to the structuring of all District debt issues. The CBO may delegate the day-to-day responsibility for managing the District's debt financings. The Board is the obligated issuer of all District debt and awards all purchase contracts for GO Bonds, BANs, GANs, LRBs, COPs, Financing Leases, TRANs and any other debt issuances. The CBO, or a designee or agent, shall cause any required annual report to be filed with the California Debt Investment and Advisory Commission relating to the District's debt, and shall ensure that any required annual performance and financial audits pertaining to GO Bond fund expenditures are prepared and delivered to the Board and any applicable bond oversight committee. (GC § 8855(k))

### *2. Financing Team Members*

A. Financial Advisor: Irrespective of the nature of the sale of securities (competitive or negotiated), the District may select and retain a financial advisor, who shall be an experienced independent registered financial advisor, to provide advice on the District's debt management program, debt issuance structure, rating agency relations, credit enhancement decisions and other transaction details. As determined by the CBO, the Financial Advisor may be the point person to organize and coordinate activities within the collective financing team.

**DEBT ISSUANCE AND MANAGEMENT (continued)**

B. Bond Counsel, Tax Counsel, and Disclosure Counsel: The District may select an external legal team to be used on an as-needed basis to assist with debt issuances or special projects. Such firms may be selected to provide general legal advice on, among other things, debt financing, tax considerations, disclosure documents, and continuing disclosure.

C. Other Team Members: The District, upon the counsel of staff and Financial Advisor, may select and retain other qualified and necessary financing team members as may be required to fulfill the District's obligations related to its debt management program. Other financing team members may include (but are not limited to), paying agent and bond registrar, trustee, escrow agent, investment advisor, credit enhancement provider, feasibility consultants, and economic or data analysts.

### *3. Rating Agencies*

The District shall (i) endeavor to attain the best possible credit rating for each debt issuance (with or without credit enhancement); (ii) endeavor to maintain effective relations with rating agencies; and (iii) together with its financial advisor, meet with, make presentations to, or otherwise communicate with the rating agencies on a regular basis in order to keep the rating agencies informed concerning the District's capital project plans, debt issuance program, debt management activities, and other appropriate financial information.

### *4. Investment Community Relations*

The District shall (i) endeavor to maintain positive and effective relations with the investment community to include investors, bondholders, credit enhancers, media, document clearinghouses, and other public sources of information; and (ii) together with its Financial Advisor, as necessary, prepare reports and other forms of communication regarding the District's indebtedness, as well as its future financing plans.

### *5. Refunding and Restructuring Outstanding Debt*

Whenever deemed to be in the best interest of the District, the District may consider refunding or restructuring outstanding debt. The primary considerations for refunding or restructuring outstanding debt shall be financially advantageous or beneficial structuring. The financial advantages of refunding outstanding debt shall be based upon a review of a net present value analysis of any proposed refunding in order to make a determination regarding the cost-effectiveness of the proposed refunding.

### *6. Investment of Borrowed Proceeds and Reserve Funds*

The District acknowledges its on-going fiduciary responsibilities to actively manage the proceeds of debt issued for public purposes and related reserve funds in a manner that is consistent with California law governing the investment of public funds, prudent investment practices, its own

investment policies, and with the permitted securities covenants of related debt documents executed by the District. The District's goals for any investment strategy of borrowed proceeds and related reserve funds shall be preservation of principal, followed by availability of funds, followed by return on investment.

### *7. Transaction Records*

The Superintendent or designee shall maintain complete records of decisions made in connection with each financing, including the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products and providers. Each transaction file shall include the official transcript for the financing, and the final number computations. At the conclusion of any debt issuance, the Superintendent, the CBO, or a designee of either of them, shall timely provide a summary of the financing to the Governing Board.

### *8. Exceptions or Modifications*

The District acknowledges that the capital marketplace fluctuates, municipal finance products change from time to time, and that issuer and investor supply and demand vary. These fluctuations may produce situations that are not anticipated or covered by this Policy. As such, the Governing Board may make exceptions or modifications to this policy to achieve the debt management goals outlined herein. Flexibility is appropriate and necessary in such situations, provided specific authorization is granted to District staff and the District's advisors by the Governing Board.

### *9. Effect of Noncompliance*

The failure of any debt financing to comply with one or more of the provisions of this Policy shall not, in and of itself, affect the validity of any debt issued by the District.

Date Adopted: January 9, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3470.1**

# POST-ISSUANCE TAX COMPLIANCE PROCEDURES FOR TAX-EXEMPT BONDS

## I. In General

These post-issuance compliance procedures ("Procedures") of the Enterprise Elementary School District (the "District") are designed to provide for the effective management of the District's post bond issuance compliance program for tax-exempt and other tax benefited bonds in a manner consistent with state and federal laws applicable to such obligations.

## II. Post-Issuance Tax Compliance

The Chief Business Official of the District shall be the primary compliance officer ("Bond Compliance Officer") responsible for each issuance by the District of tax-exempt and tax-benefited bonds, notes, financing leases, or other obligations collectively referred to as "Bonds"). All information related to each bond issue and the assets financed by such issue shall be maintained by or on behalf of the Bond Compliance Officer. The actions taken under these Procedures shall be taken by or on behalf of the Bond Compliance Officer, or other officers or employees of the District, at the direction of the Bond Compliance Officer.

A. Tax Certificate; IRS Form 8038/8038-G/8038-GC; and Continuing Education

1. Tax Certificate. The Bond Compliance Officer shall review the Tax Certificate prepared by the District's bond counsel prior to closing each bond issuance and confirm that the factual statements regarding the District are accurate and complete and the expectations regarding the project and the use of proceeds are reasonable and in accord with the District's intent as of the closing date for the bond issuance. Immediately upon issuing any Bonds, the Bond Compliance Officer, in conjunction with the District's bond counsel, tax counsel, or other qualified counsel (collectively, the "District's counsel" or "counsel") shall prepare a post-issuance compliance plan ("Plan") specific to the Bonds, based on the requirements of the related Tax Certificate, these Procedures, any additional notes taken by the Bond Compliance Officer in connection with its discussions with counsel (including any supplemental materials that bond counsel may give the District relating to ongoing compliance). The Plan will define the roles and responsibilities relating to the ongoing compliance activities for the Bonds and will identify specific compliance requirements.

2. IRS Form 8038/8038-G/8038-GC. The Bond Compliance Officer shall confirm that it has timely filed, or has caused bond counsel to timely file, the IRS Information Return (Form 8038, 8038-G or 8038-GC, as applicable) for each issue of Bonds. The IRS Informational Return Form 8038 is due to be filed for each issue of Bonds not later than the 15th day of the second calendar month after the close of the calendar quarter in which the Bonds are issued.

**POST-ISSUANCE TAX COMPLIANCE PROCEDURES FOR TAX-EXEMPT BONDS (continued)**

3. Continuing Education - The Bond Compliance Officer (or designee) shall actively seek out advice from the District's counsel on any matters that appear to raise ongoing compliance concerns under a Plan. The Bond Compliance Officer (or designee) may attend or participate in seminars, webinars or teleconferences that address compliance issues and developments relating to issuance of, or post-issuance compliance for, Bonds.

B. Tax-Exempt Bonds Compliance Monitoring

1. Restrictions Against Private Use - The Bond Compliance Officer will monitor the expenditure of the proceeds of Bonds and the use of assets financed or refinanced with Bonds to ensure compliance with Section 141 of the Internal Revenue Code (the "Code"). This section generally establishes limitations on the use of Bond-financed assets by non-state or local governmental entities, such as individuals using Bond-financed assets on a basis other than as a member of the general public, corporations and the federal government and its agencies and instrumentalities.

   a. Use of Bond Proceeds. The Bond Compliance Officer will monitor and maintain records with respect to expenditures to ensure that Bond proceeds are being used on capital expenditures for governmental purposes in accordance with the bond documents, and record the allocation of all Bond proceeds.

   b. Use of the Bond-Financed Facility or Equipment
      (i) Equipment assets financed with Bonds will be listed in a schedule for each bond issue, which schedule may be included in the Tax Certificate. Equipment assets generally are not to be disposed of prior to the earlier of: (a) the date the Bonds and all subsequent refundings of such bonds are fully paid; or (b) the end of the useful life of such equipment. The Bond Compliance Officer will maintain the list of all Bond-Financed equipment for each issue of Bonds, together with the equipment's expected useful life.
      (ii) In order to ensure that assets constructed or acquired using Bond proceeds are not leased, sold or disposed of prior to the end of the term of the bonds and of all subsequent refundings of such bonds, assets shall be flagged in the District's records to indicate that they are allocated a share of the proceeds of a Bond issue (with reference to the particular issue of Bonds and allocable amounts) and monitored by the Bond Compliance Officer.
      (iii) If there is any proposal to change the use of a bond-financed facilities from a governmental purpose to a use in which a private entity may have the use or

benefit of said asset that is different from the rest of the general public – including a contract for us of bond-financed facilities, a lease, license, sale or other disposition/abandonment of the bond-financed facilities – the Bond Compliance Officer will consult with counsel prior to the occurrence of the proposed change in use.

2. Qualification for Initial Temporary Periods and Compliance with Investment Restrictions

a. Expectations as to Expenditure of "New Money" Bond Proceeds

(i) In order to qualify under the arbitrage rules for an initial temporary period of 3 years for "new money" issues during which bond proceeds can be invested without regard to yield (but potentially subject to rebate), the District must reasonably expect to spend at least 85% of "spendable proceeds" by the end of the temporary period. In general under Code Section 149, in order to avoid classification of an issue of bonds as "hedge bonds," the District must both: (1) reasonably expect to spend 85% of the "spendable proceeds" of the bond issue within the 3 year period beginning on the date the bonds are issued (unless the project cannot be completed within 3 years, in which case the District's reasonable expectations may be extended to 5 years upon provision of supporting certifications of the qualified project architect or other qualified expert); and (2) invest not more than 50% of the proceeds of the issue in investments having a substantially guaranteed yield for 4 years or more. These expectations shall be documented for the District's outstanding Bonds in the related tax certificate executed in connection with each issue of Bonds.

(j) If, for any reason, the District's expectations concerning the period over which the Bond proceeds are to be expended change from what was documented in the applicable tax certificate, the Bond Compliance Officer will consult with bond counsel.

b. Bond Proceeds Expenditure Schedule Compliance Monitoring - While there are unspent proceeds of bonds, the Bond Compliance Officer will compare and analyze the bond proceeds expenditure schedule to the actual investment earnings and expenditures incurred on each project, on an annual or more frequent basis. The purpose of this analysis is to determine any variances from the expected expenditure schedule and to document the reasons for these variances.

**POST-ISSUANCE TAX COMPLIANCE PROCEDURES FOR TAX-EXEMPT BONDS (continued)**

3. Arbitrage Rebate Compliance

a. Bonds may lose their tax-favored status, retroactive to the date of issuance, if they do not comply with the arbitrage restrictions of Section 148 of the Code. Two general sets of requirements under the Code must be applied in order to determine whether governmental bonds are arbitrage bonds: (1) the yield restriction requirements of Section 148(a); and (2) the rebate requirements of Section 148(f).

b. Yield Restriction Requirements. The yield restriction requirements provide, in general terms, that gross proceeds of a bond issue may not be invested in investments earning a yield higher than the yield of the bond issue, i.e., the District cannot earn interest on unspent bond proceeds at rates higher than the rates of interest the District is paying on the bonds, except for investments: (i) during one of the temporary periods permitted under the regulations; (ii) in a reasonably required reserve or replacement fund; or (iii) in an amount not in excess of the lesser of 5% of the sale proceeds of the Bonds or $100,000 (the "minor portion"). Under limited circumstances, the yield on investments subject to yield restriction can be reduced through payments to the IRS known as "yield reduction payments." The tax certificate shall identify a particular issue of Bonds known, as of the date of issuance, to be subject to yield restriction.

c. Rebate Requirements

(i) If, consistent with the yield restriction requirements, amounts treated as Bond proceeds are permitted to be invested at a yield in excess of the yield on the Bonds (pursuant to one of the exceptions to yield restriction referred to above), rebate payments may be required to be made to the U.S. Treasury. Under the applicable regulations, the aggregate rebate amount is the excess of the future value of all the receipts from bond funded investments over the future value of all the payments to acquire such investments. The future value is computed as of the computation date using the bond yield as the interest factor. At least 90% of the rebate amount calculated for the first computation period must be paid no later than 60 days after the end of the first computation period. The amount of rebate payments required for subsequent computation periods (other than the final period) is that amount which, when added to the future value of prior rebate payments, equals at least 90% of the rebate amount. For the final computation period, 100% of the calculated amount must be paid. Rebate exceptions and expectations are documented for each Bond issue in the tax certificate executed at the time of such bond issue.

**POST-ISSUANCE TAX COMPLIANCE PROCEDURES FOR TAX-EXEMPT BONDS (continued)**

(ii) While there are unspent proceeds of bonds, the District will determine whether to engage an experienced independent rebate analyst to annually calculate any rebate that may result for that year and annually provide a rebate report to the Bond Compliance Officer. Bond counsel can assist with referrals to qualified rebate analysts.

d. Timing of Rebate Payments - The Bond Compliance Officer will work with the rebate analyst to ensure the proper calculation and payment of any rebate payment and/or yield-reduction payment at the required time:

(i) First installment due no later than 60 days after the end of the fifth anniversary of each Bond issuance date;

(ii) Succeeding installments at least every five years;

(iii) Final installment no later than 60 days after retirement of last Bond in the issue.

4. Refunding Requirements

a. Refunded Projects - The Bond Compliance Officer will maintain records of all Bond financed assets for each bond issue, including assets originally financed with a refunded bond issue.

b. Yield Restriction - The Bond Compliance Officer will work with its financial advisor and bond counsel to maintain records of allocation of bond proceeds for current and advance refundings of prior Bond issues to ensure that such bond proceeds are expended as set forth in the applicable tax certificate executed at the time the refunding Bonds are issued. Any yield restricted escrows will be monitored for ongoing compliance.

C. Record Retention

1. Section 6001 of the Code provides the general rule for the proper retention of records for federal tax purposes. The IRS regularly advises taxpayers to maintain sufficient records to support their tax deductions, credits and exclusions. In the case of Bonds, the primary taxpayers are the bondholders. In order to ensure the continued exclusion of interest to such bondholders, it is important that the District retain sufficient records to support such exclusion.

## POST-ISSUANCE TAX COMPLIANCE PROCEDURES FOR TAX-EXEMPT BONDS (continued)

2. In General

   a. All records associated with any Bonds shall be stored electronically or in hard copy form at the District's offices or at another location conveniently accessible to the District.

   b. The Bond Compliance Officer (or designee) will ensure that the District provides for appropriate storage of these records.

   c. If storing documents electronically, the District shall conform with Rev. Proc. 97-22 (as the same may be amended, supplemented or superseded), which provides guidance on maintaining books and records by using an electronic storage system. The Bond Compliance Officer (or designee) shall request a copy of this Revenue Procedure from bond counsel if needed.

3. Bonds - The District shall maintain the records of the Bonds as defined in this section for the longer of the life of the Bonds plus 6 years or the life of Bonds which refunded the Bonds plus 6 years. The records shall include at least the following documents:

   a. Pre-Issuance Documents:

      (i) SLGS/Open Market Securities. When applicable, the Bond Compliance Officer shall retain all documentation regarding the procurement of the State and Local Government Series (SLGS) subscription or other open market securities subscription for any advance refunding of Bonds.

      (ii) Project Draw/Expenditure Schedule. The Bond Compliance Officer shall retain all documentation and calculations relating to the draw schedule used to meet the "reasonable expectations" test and use of proceeds tests (including copies of contracts with general and sub-contractors or summaries thereof).

      (iii) Issue Sizing. The Bond Compliance Officer shall maintain a copy of all financial advisor's or underwriter's structuring information.

      (iv) Bond Insurance. The Bond Compliance Officer shall maintain a copy of insurance quotes and calculations supporting the cost benefit of bond insurance, if any.

      (v) Costs of Issuance documentation. The Bond Compliance Officer shall retain all invoices, payments and certificates related to costs of issuance of the Bonds.

**POST-ISSUANCE TAX COMPLIANCE PROCEDURES FOR TAX-EXEMPT BONDS (continued)**

b. Issuance Documents - The Bond Compliance Officer shall retain the bound Bond transcript delivered from bond counsel.

c. Post-Issuance Documents:

i. Records of Investments for the Bonds shall be retained by the Bond Compliance Officer.

ii. Investment Activity Statements shall be retained by the Bond Compliance Officer.

iii. The Bond Compliance Officer shall maintain or shall cause to be maintained all invoices and purchase orders relating to equipment purchases and constructed or acquired projects using Bond proceeds, either electronically or in hard copy.

iv. Records of Compliance:

(A) Qualification for Initial Temporary Periods and Compliance with Restrictions Documentation - The Bond Compliance Officer shall prepare the annual analysis described in Section II(B)(2) above and maintains these records.

(B) Arbitrage Rebate Reports may be prepared by the Bond Compliance Officer or a third party as described in section II (B)(3) of this document and retained by the Bond Compliance Officer.

(C) Returns and Payments to the IRS shall be prepared at the direction of the Bond Compliance Officer and filed as described in Section II(B)(3) of this document.

(D) A list of contracts under which any bond proceeds are spent (consulting engineering, acquisition, construction, etc.).

d. General

i. Audited Financial Statements. The Bond Compliance Officer will maintain copies of the District's annual audited Financial Statements.

ii. Reports of any prior IRS Examinations. The Bond Compliance Officer will maintain copies of any written materials pertaining to any IRS examination of any issue of Bonds.

III. Voluntarily Correcting Failures to Comply with Post-Issuance Compliance Activities

## POST-ISSUANCE TAX COMPLIANCE PROCEDURES FOR TAX-EXEMPT BONDS (continued)

If, in the effort to exercise due diligence in complying with applicable federal tax laws, a potential compliance issue is discovered, the District may address the compliance issue through the applicable method listed below. The District shall work with its bond counsel (and consult with its financial advisor, and underwriter, as appropriate) to determine the appropriate way to proceed:

1. to take remedial actions as described in Section 141 of the Internal Revenue Code;

2. to utilize the Voluntary Closing Agreement Program (VCAP) - Section 7.2.3 of the Internal Revenue Manual establishes the voluntary closing agreement program for tax-exempt bonds (TEB VCAP), whereby issuers of tax-exempt bonds can resolve violations of the Internal Revenue Code through closing agreements with the Internal Revenue Service; and/or

3. to take such additional or different actions as may be required to comply with the Internal Revenue Code and other applicable law, regulations or IRS rulings.

IV. Post Issuance Tax Compliance Procedures Review

The Bond Compliance Officer shall review these procedures as needed, and implement revisions or updates as deemed appropriate, in consultation with bond counsel.

Date Adopted: April 1, 2020

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3512**

# EQUIPMENT

District equipment shall be used primarily for educational purposes and/or to conduct district business. The Superintendent or designee shall ensure that all employees, students, and other users understand the appropriate use of district equipment and that any misuse may be cause for disciplinary action or loss of user privilege.

School-connected organizations may be granted reasonable use of the equipment for district-related matters, if such use does not interfere with the use by students or employees or otherwise disrupt district operations.

The Superintendent or designee shall approve the transfer of any district equipment from one work site to another and the removal of any district equipment for off-site use. When any equipment is taken off site, the borrower is responsible for its safe return and shall be fully liable for any loss or damage. Equipment shall only be used for an approved district-related purpose.

Employees transferred to another work site shall take with them only those personal items that have been purchased with their own funds, unless otherwise authorized by the Superintendent or designee or applicable Board policy or administrative regulation.

The Superintendent or designee shall maintain an inventory of all equipment currently valued in excess of $500. (EC 35168; 5 CCR 3946)

Additionally, the Superintendent or designee shall maintain property records as specified in Administrative Regulation 3440 - Inventories, including updating property records when there is a change in the status of the property.

When equipment is unusable or is no longer needed, it may be sold, donated, or disposed of in accordance with Education Code 17540-17555 or 2 CFR 200.313, as applicable.

## Equipment Acquired with Federal Funds

The Superintendent or designee shall obtain prior written approval from the California Department of Education (CDE) or other awarding agency before purchasing equipment with federal funds. (2 CFR 200.439)

Additionally, the Superintendent or designee shall obtain prior approval from CDE or other awarding agency before disposing or encumbering equipment purchased with federal funds. (2 CFR 200.313)

Persons involved in the selection, award, or administration of a contract supported by federal funds shall comply with the requirements specified in 2 CFR 200.313 and 200.318, including conflict of

**EQUIPMENT (continued)**

interest requirements, act in accordance with Administrative Regulation 3230 - Federal Grant Funds, and comply with Board Bylaw 9270 - Conflict of Interest.

All equipment purchased for federal programs funded through the consolidated application pursuant to Education Code 64000-64001 shall be labeled with the name of the project, identification number, and name of the district. (2 CFR 200.313; 5 CCR 3946)

For any equipment acquired in whole or in part with federal funds, the Superintendent or designee shall develop adequate maintenance procedures to keep the property in good condition. Additionally, the Superintendent or designee shall develop adequate safeguards to prevent loss, damage, or theft of the property and shall investigate any loss, damage, or theft. (2 CFR 200.313)

Equipment purchased for use in a federal program shall be used in that program as long as needed, regardless of whether the program continues to be supported by federal funds. The equipment may be used in other activities currently or previously supported by a federal agency when such use does not interfere with the work on the project or program for which it was originally acquired or when use of the equipment is no longer needed for the original program. (2 CFR 200.313)

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3513.3**

# TOBACCO-FREE SCHOOLS

The Governing Board recognizes the that smoking and other uses of tobacco and nicotine products constitute a serious public health hazards and are inconsistent with district goals to provide a healthy environment for students and staff.
(cf. 3514 – Environmental Safety)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 – Student Wellness)
(cf. 5131.62 - Tobacco)
(cf. 5141.23 – Asthma Management)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study

The Board prohibits smoking and/or the use of tobacco products at any time in district-owned or leased buildings, on district property and in district vehicles. (HSC 104420, 104559)

These prohibitions apply to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or ground shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.
(cf. 1330 – Use of School Facilities)
(cf. 1330.1 – Joint Use Agreements)

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (BPC 22950.5; EC 48901)

Tobacco products include: (BPC 22950.5; EC 48901)

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff

2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah

3. Any component, part, or accessory of a tobacco product, whether or not sold separately

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

## TOBACCO-FREE SCHOOLS (continued)

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. (HSC 104495)

*Legal Reference:*
*EDUCATION CODE*
*48900 Grounds for suspension/expulsion*
*48901 Prohibition against tobacco use by students*
*BUSINESS AND PROFESSIONS CODE*
*22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions*
*HEALTH AND SAFETY CODE*
*39002 Control of air pollution from nonvehicular sources*
*104350-104495 Tobacco use prevention, especially:*
*104495 Prohibition of smoking and tobacco waste on playgrounds*
*104559 Tobacco use prohibition*
*119405 Unlawful to sell or furnish electronic cigarettes to minors*
*LABOR CODE*
*3300 Employer, definition*
*6304 Safe and healthful workplace*
*6404.5 Occupational safety and health; use of tobacco products*
*UNITED STATES CODE, TITLE 20*
*6083 Nonsmoking policy for children's services*
*7111-7122 Student Support and Academic Enrichment Grants*
*CODE OF FEDERAL REGULATIONS, TITLE 21*
*1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors*
*PUBLIC EMPLOYMENT AND RELATIONS BOARD RULINGS*
*Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)*
*CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)*

*Management Resources:*
*WEB SITES*
*California Department of Education, Alcohol, Tobacco and Other Drug Prevention: http://www.cde.ca.gov/ls/he/at*
*California Department of Education, Tobacco-Free School District Certification: http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp*
*California Department of Public Health, Tobacco Control: http://www.cdph.ca.gov/programs/tobacco*
*Occupational Safety and Health Standards Board: http://www.dir.ca.gov/OSHSB/oshsb.html*
*U.S. Environmental Protection Agency: http://www.epa.gov*

(3/11 4/14) 7/16

Date Adopted: August 6, 2008
Date Revised: September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3513.3**

## TOBACCO-FREE SCHOOLS

Notifications

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students and the community. (HSC 104420)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 – Parental Notifications)

The Superintendent or designee shall ensure that signs stating "Tobacco use is prohibited" are prominently displayed at all entrances to school property. (HSC 104420, 104559)

Enforcement/Discipline

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property

2. Request local law enforcement assistance in removing the person from school premises

3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (LC 6404.5)

(7/02 3/11) 7/16

Date Adopted: August 6, 2008
Date Revised: September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3513.4**

## DRUG AND ALCOHOL FREE SCHOOLS

The Governing Board recognizes the need to keep district schools free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in district-owned or leased buildings, on district property, and in district vehicles, unless otherwise permitted by law.
(cf. 1325 - Advertising and Promotion)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 4020 - Drug and Alcohol-Free Workplace)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 6142.8 - Comprehensive Health Education)

The following substances are prohibited on all district property:

1. Any substance which may not lawfully be possessed, used, or sold in California

2. Cannabis or cannabis products (Health and Safety Code 11362.3; 21 USC 812, 844)

3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes specified in Business and Professions Code 25608
(cf. 1330 - Use of School Facilities)
(cf. 1330.1 - Joint Use Agreements)

Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, district policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable.
(cf. 5141.21 - Administering Medications and Monitoring Health Conditions)

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

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in district facilities, on district property, in district vehicles, or at school-sponsored activities. As appropriate, he/she may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.
(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)
(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)
(cf. 5145.12 - Search and Seizure)

**DRUG AND ALCOHOL FREE SCHOOLS (CONTINUED)**

Students and employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and Board policy.
(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)
(cf. 4117.7/4217.7/4317.7 - Employment Status Reports)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Legal Reference:
EDUCATION CODE
44940 Compulsory leave of absence for certificated persons
44940.5 Procedures when employees are placed on compulsory leave of absence
45123 Employment after conviction of controlled substance offense
45304 Compulsory leave of absence for classified persons
48900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
48901.5 Prohibition of electronic signaling devices
48902 Notification of law enforcement authorities; civil or criminal immunity
48909 Narcotics or other hallucinogenic drugs
48915 Expulsion; particular circumstances
BUSINESS AND PROFESSIONS CODE
25608 Alcohol on school property; use in connection with instruction
GOVERNMENT CODE
8350-8357 Drug-free workplace
HEALTH AND SAFETY CODE
11053-11058 Standards and schedules
11353.6 Juvenile Drug Trafficking and Schoolyard Act
11362.1 Possession and use of cannabis, persons age 21 and over
11362.3 Limitations on possession and use of cannabis
11362.79 Limitations on medical use of cannabis
104559 Tobacco use prohibition
PENAL CODE
13860-13864 Suppression of drug abuse in schools
VEHICLE CODE
13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;
UNITED STATES CODE, TITLE 20
7101-7122 Student Support and Academic Enrichment Grants
UNITED STATES CODE, TITLE 21
812 Schedules of controlled substances
844 Penalties for possession of controlled substance
UNITED STATES CODE, TITLE 41
8101-8106 Drug-Free Workplace Act
COURT DECISIONS
Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)

10/17

Date Adopted: April 11, 2018

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3514.2**

# INTEGRATED PEST MANAGEMENT

Definitions

Integrated pest management (IPM) means a strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. (EC 17609; Food and Agricultural Code 13181)
(cf. 3510 - Green School Operations)

School site means any facility used as a child day care facility or for kindergarten, elementary, or secondary school purposes and includes the buildings or structures, playgrounds, athletic fields, vehicles, or any other area of property visited or used by students. (EC 17609)

Program Components

The Superintendent or designee shall designate an employee at the district office and/or school site to develop, implement, and coordinate an IPM strategy that incorporates effective, least toxic pest management practices.

The IPM coordinator shall prepare and annually update a districtwide or school site IPM plan based on the template provided by the California Department of Pesticide Regulation (DPR).

The IPM plan shall include the name of the district and/or school IPM coordinator, the pesticides expected to be applied at the school site by district employees and/or pest control applicators, and a date that the plan shall be reviewed and, if necessary, updated. (EC 17611.5)

The district shall use pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment. Such pesticides shall only be used after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. (Food and Agricultural Code 13181)

The IPM plan and this administrative regulation shall not apply to reduced-risk pesticides, including self-contained baits or traps, gels or pastes used for crack and crevice treatments, antimicrobials, and pesticides exempt from registration by law. (EC 17610.5; 3 CCR 6147)

The district's program shall include, but not necessarily be limited to, the following components:

1. Identifying and monitoring pest population levels and identifying practices that could affect pest populations. Strategies for managing the pest shall be influenced by the pest species and whether that species poses a threat to people, property, or the environment.

**INTEGRATED PEST MANAGEMENT (Continued)**

2. Setting action threshold levels to determine when pest populations or vegetation at a specific location might cause unacceptable health or economic hazards that would indicate corrective action should be taken.

3. Modifying or eliminating pest habitats to deter pest populations and minimize pest infestations.

4. Considering a full range of possible alternative cost-effective treatments. Such alternative treatments may include taking no action or controlling the pest by physical, horticultural, or biological methods. Cost or staffing considerations alone will not be adequate justification for the use of chemical control agents.

5. Selecting nonchemical pest management methods over chemical methods whenever such methods are effective in providing the desired control or, when it is determined that chemical methods must be used, giving preference to those chemicals that pose the least hazardous effects to people and the environment.

   No pesticide that is prohibited by DPR or the U.S. Environmental Protection Agency, as listed on the DPR web site, shall be used at a school site. (EC 17610.1)

6. Limiting pesticide purchases to amounts needed for the year. Pesticides shall be stored at a secure location that is not accessible to students and unauthorized staff. They shall be stored and disposed of in accordance with state regulations and product label directions.
   (cf. 3514 - Environmental Safety)
   (cf. 3514.1 - Hazardous Substances)

7. Informing parents/guardians and employees regarding pesticide use as described in the sections "Notifications" and "Warning Signs" below.

8. Ensuring that persons applying pesticides follow label precautions and are sufficiently trained in the principles and practices of IPM as described in the section "Training" below.

9. Evaluating the effectiveness of treatments to determine if revisions to the IPM plan are needed.

Training

The IPM coordinator and any employee or contractor who may be designated to apply a pesticide at a school site shall annually complete a DPR-approved training course on IPM and the safe use of pesticides in relation to the unique nature of school sites and children's health. (EC 17614; Food and Agricultural Code 13186.5)
(cf. 4231 - Staff Development)

**INTEGRATED PEST MANAGEMENT (Continued)**

Any district employee who handles pesticides shall also receive pesticide-specific safety training prior to applying pesticides and annually thereafter in accordance with 3 CCR 6724.

Notifications

Staff and parents/guardians of students enrolled at a school site shall be annually notified, in writing, regarding pesticide products expected to be applied at the school site in the upcoming year. The notification shall include at least the following: (EC 17612)

1. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it

2. The Internet address (http://www.cdpr.ca.gov/schoolipm) used to access information on pesticides and pesticide use reduction developed by the DPR pursuant to Food and Agricultural Code 13184

3. If the school has posted its IPM plan, the Internet address where the plan may be found

4. The opportunity to view a copy of the IPM plan in the school office

5. An opportunity for interested persons to register to receive prior notification of each application of a pesticide at the school site

6. Other information deemed necessary by the IPM coordinator

(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3517 - Facilities Inspection)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

Whenever a person registers to receive notice of individual pesticide application pursuant to item #5 above, the IPM coordinator shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredient(s) in the product, and the intended date of application. (EC 17612)

If a pesticide product not included in the annual notification is subsequently intended for use at a school site, the IPM coordinator shall provide written notification of its intended use to staff and parents/guardians of students enrolled at the school, at least 72 hours prior to the application. (EC 17612)

**INTEGRATED PEST MANAGEMENT (Continued)**

If a school chooses to use a pesticide not exempted pursuant to Education Code 17610.5, it shall post the school or district IPM plan on the school's web site or, if the school does not have a web site, then on the district web site. If neither the school nor district has a web site, then the IPM plan shall be included with the annual notification sent to staff and parents/guardians pursuant to Education Code 17612 as described above. When not required, the IPM coordinator may post or distribute the IPM plan at his/her discretion. (EC 17611.5)

Whenever the IPM coordinator deems that the immediate use of a pesticide is necessary to protect the health and safety of students, staff, or other persons at the school site, he/she shall make every effort to provide the required notifications prior to the application of the pesticide. (EC 17612)

Warning Signs

The IPM coordinator shall post a warning sign at each area of the school site where pesticides will be applied that shall be visible to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and shall remain posted until 72 hours after the application. The warning sign shall prominently display the following information: (EC 17612)

1. The term "Warning/Pesticide Treated Area"

2. The product name, manufacturer's name, and the EPA's product registration number

3. Intended areas and dates of application

4. Reason for the pesticide application

When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide to protect the health and safety of students, staff, or other persons or the school site, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. (EC 17609, 17612)

Records

At the end of each calendar year, the IPM coordinator shall submit to DPR, on a form provided by DPR, a copy of the records of all pesticide use at the school site for that year, excluding any pesticides exempted by law and any pesticide use reported by the pest control operator pursuant to Food and Agricultural Code 13186. The IPM coordinator may submit more frequent reports at his/her discretion. (EC 17611)

**INTEGRATED PEST MANAGEMENT (Continued)**

Each school site shall maintain records of all pesticide use at the school for four years, and shall make the information available to the public, upon request, in accordance with the California Public Records Act. A school may meet this requirement by retaining a copy of the warning sign posted for each pesticide application with a recording on that copy of the amount of the pesticide used. (EC 17611)
(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

Pesticide Use near School Site

Upon receiving notification pursuant to 3 CCR 6692 that a grower expects to use agricultural pesticides within one-quarter mile of a school site Monday through Friday from 6:00 a.m. to 6:00 p.m., the principal or designee shall notify the Superintendent or designee, IPM coordinator, staff at the school site, and parents/guardians of students enrolled at the school.

The principal or designee may communicate with any grower within one-quarter mile of the school to request that the grower not apply pesticides during evenings or weekends when school activities are scheduled.

*Legal Reference:*
*EDUCATION CODE*
*17366 Legislative intent (fitness of buildings for occupancy)*
*17608-17614 Healthy Schools Act of 2000*
*48980 Notice at beginning of term*
*48980.3 Notification of pesticides*
*BUSINESS AND PROFESSIONS CODE*
*8593.2 Licensed pest control operators; training requirements*
*FOOD AND AGRICULTURAL CODE*
*11401-12408 Pest control operations and agricultural chemicals*
*13180-13188 Healthy Schools Act of 2000*
*GOVERNMENT CODE*
*3543.2 Scope of representation; right to negotiate safety conditions*
*6250-6270 California Public Records Act*
*CODE OF REGULATIONS, TITLE 3*
*6147 Pesticides exempted from registration requirements*
*6690-6692 Pesticide use near school sites*
*6724 Training of employees handling pesticides*
*CODE OF REGULATIONS, TITLE 8*
*340-340.2 Employer's obligation to provide safety information*
*UNITED STATES CODE, TITLE 7*
*136-136y Insecticide, Fungicide and Rodentcide Act*

*Management Resources:*
*CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION PUBLICATIONS*
*California School IPM Model Program Guidebook*
*Healthy Schools Act Requirements for Public K-12 Schools*
*School District Integrated Pest Management Plan Template*
*U.S. ENVIRONMENTAL PROTECTION AGENCY*
*Pest Control in the School Environment: Implementing Integrated Pest Management (IPM), May 2017*
*WEB SITES*
*California Department of Education: http://www.cde.ca.gov*
*California Department of Pesticide Regulation, School IPM: http://www.cdpr.ca.gov/schoolipm*
*U.S. Environmental Protection Agency, Integrated Pest Management at Schools: http://www.epa.gov/managing-pests-schools*

(3/06 4/15) 3/18

Date Adopted: August 5, 2015
Date Revised: May 23, 2018

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3515**

## CAMPUS SECURITY

The Governing Board is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

The Superintendent or designee shall develop campus security procedures which are consistent with the goals and objectives of the district's comprehensive safety plan and site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.
(cf. 0450 - Comprehensive Safety Plan)

Surveillance Systems

The Board believes that reasonable use of surveillance cameras will help the district achieve its goals for campus security. The Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.
(cf. 5131.1 - Bus Conduct)
(cf. 5145.12 - Search and Seizure)

The Superintendent or designee shall post signs at conspicuous locations at affected school buildings and grounds. These signs shall inform students, staff, and visitors that surveillance may occur. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by the camera may be referred to local law enforcement, as appropriate.
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.
(cf. 4112.6/4212.6/4312.6 - Personnel Records)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

## BUSINESS AND NONINSTRUCTIONAL OPERATIONS BP 3515

## CAMPUS SECURITY

Legal Reference:
EDUCATION CODE
32020 Access gates
32211 Threatened disruption or interference with classes
32280-32288 School safety plans
35160 Authority of governing boards
35160.1 Broad authority of school districts
38000-38005 Security patrols
49050-49051 Searches by school employees
49060-49079 Student records
PENAL CODE
469 Unauthorized making, duplicating or possession of key to public building
626-626.10 Disruption of schools
CALIFORNIA CONSTITUTION
Article 1, Section 28(c) Right to Safe Schools
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
COURT DECISIONS
New Jersey v. T.L.O. (1985) 469 U.S. 325
ATTORNEY GENERAL OPINIONS
83 Ops.Cal.Atty.Gen. 257 (2000)
75 Ops.Cal.Atty.Gen. 155 (1992)

Management Resources:
CSBA PUBLICATIONS
Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Safe Schools: A Planning Guide for Action, 2002
NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS
The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Safe Schools Office: http://www.cde.ca.gov/ls/ss
National Institute of Justice: http://www.ojp.usdoj.gov/nij

Issued: 3/07
Date Adopted: August 4, 2010

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3515**

## CAMPUS SECURITY

The Superintendent or designee shall ensure that the district's campus security plan includes strategies to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity

These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2. Secure buildings from outsiders and discourage trespassing

These strategies may include requiring visitor registration, staff and student identification tags, and patrolling of places used for congregating and loitering.
(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)
(cf. 5112.5 - Open/Closed Campus)

3. Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti as well as campus beautification projects and shall also include students and the community in these projects.
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 5137 - Positive School Climate)

4. Control access to keys and other school inventory
(cf. 3440 - Inventories)

5. Detect and intervene with school crime

These strategies may include the creation of a school watch program, an anonymous crime reporting system, analysis of school crime incidents, and collaboration with local law enforcement agencies, including providing for law enforcement presence.
(cf. 3515.3 - District Police/Security Department)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.9 - Hate-Motivated Behavior)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3515**

## CAMPUS SECURITY

### Keys

All keys used in a school shall be the responsibility of the principal or designee. Keys shall be issued only to those employees who regularly need a key in order to carry out normal activities of their position.

The principal or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

Keys shall be used only by authorized employees and shall never be loaned to students. The master key shall not be loaned.

The person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for a replacement key.

(3/89 6/96) 3/07

Date Adopted: August 4, 2010

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS OPERATIONS** **BP 3515.1**

## VIDEO SURVEILLANCE

Maintenance of the health, welfare, and safety of students, staff, and visitors on district property and the protection of district property are important functions of the Governing Board.

The monitoring of individuals who enter upon the school grounds or property is also a significant factor in maintaining order and discipline and in protecting students, staff, visitors, and property. The Enterprise Elementary School District Governing Board recognizes the value of video surveillance systems and monitoring activity on school property or on school grounds, and its use in the maintenance of order and discipline within the school setting. Therefore, the Enterprise School District Governing Board authorizes the use of video surveillance practices to supplement proactive staff supervision in locations deemed appropriate by the Superintendent or designee. The district shall notify staff and students through student/parent/guardian and staff handbooks that video monitoring may occur on district property and in accordance with district regulations on video surveillance practices.

The Superintendent shall develop procedures to implement this policy.

Board Adopted: January 4, 2006

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS OPERATIONS** **AR 3515.1**

# VIDEO SURVEILLANCE

Purpose

To protect the safety and security of students, employees, and authorized visitors to school and safeguard District facilities and equipment.

Monitoring By Video Surveillance

A. Locations Subject to Monitoring
Video surveillance systems may be used to monitor buildings, common interior areas, and exterior areas, including but not limited to parking lots, perimeters, and entrances, and exit doors.

B. Notice and Authorization to Monitor
When video surveillance systems are installed, signs will be posted at conspicuous locations informing all persons that the buildings and grounds may be under video surveillance.

Parents, students, and staff shall be informed at the beginning of each school year and as necessary during the school year, that video surveillance will be used.

System Operation

A. Video surveillance equipment shall not monitor areas where persons have a reasonable expectation of privacy, such as locker rooms and adult and student restrooms.

B. There will be no video surveillance or recording of any lawful union activity on school district grounds.

C. The use of video surveillance equipment on school grounds shall be supervised and controlled by the site principal, superintendent, or designee. The site principal or principal's administrative designee will operate the system and maintain the recordings. Any further delegations should be limited and should include only administrative staff.

D. Video surveillance record should be reviewed where there is a need to do so, either because an incident has been reported or is suspected to have occurred. Examples of such include, but are not limited to incidences of property damage, theft, trespassing, personal injury, etc.

**VIDEO SURVEILLANCE (continued)**

E. Administrative staff assigned to the video surveillance systems will be required to review and apply these regulations in performing their duties and functions related to operation of the system.

F. Audio will not be part of the video recording made, reviewed, or stored by District staff.

G. District staff and students are prohibited from unauthorized use, tampering with, or otherwise interfering with video surveillance and/or video recording equipment and shall be subject to appropriate disciplinary action for violation of such rules. Disciplinary action shall be consistent with District standards and may include, but shall not be limited to, written reprimand, suspension, demotion, dismissal, or expulsion depending upon the nature and severity of the situation.

H. The District shall provide reasonable safeguards, including but not limited to, password protection, appropriate computer firewalls, and control of physical access to protect the video surveillance system from hackers, unauthorized access, and unauthorized use.

I. These regulations shall be incorporated into training and orientation programs for students and staff. These regulations should be reviewed and updated periodically.

J. Video surveillance monitors shall be located in a secure administrative office at the school site and in the District central office. Video surveillance monitors may be located in an area that enables public viewing.

K. Video surveillance equipment shall be used in accordance with all school district board policies, including the District's non-discrimination policy and its corresponding regulations relating to privacy and safety.

Storage and Security

A. Video surveillance records will be stored and retained for a minimum of 10 school days after initial recording, whereupon, if the principal or designee knows of no reason for continued retention, such records will be released for erasure.

**VIDEO SURVEILLANCE (continued)**

B. Video Surveillance records held for review of property or student incidences will be maintained in their original form pending resolution of any associated legal or disciplinary action. Recordings/media then will be released for erasure, copied for authorized law enforcement agencies, or retained as necessary as part of the student's behavioral record in accordance with established District procedures and applicable law.

C. All recordings/media or other storage devices that are not in use should be stored securely and in a locked receptacle located in a controlled access area. All storage devices that have been used should be labeled and dated. Access to the storage devices shall be possible only by authorized personnel.

Student Records

A. Video recordings or a written account are treated by the District as part of a student's educational record or staff member's personnel record. The District will comply with all applicable State and Federal laws and District board policies related to record maintenance, retention, and disclosure.

B. Requests to review video records shall comply with all applicable State and Federal laws and board policies relating to student records, employment records, the public's right to know, and guidelines for responding to public requests for information.

Viewing Requests

All requests for review of video recordings that are considered an educational record and/or personnel record will be processed as follows:

A. All viewing requests must be submitted in writing. Requests for viewing will be limited to those parents/guardians, students and/or District officials with a direct interest in the proceedings as authorized by the site principal, superintendent, or designee and only the portion of the video recording concerning the related specific incident will be made available for viewing.

B. Written requests for viewing may be made to the site principal, superintendent, or designee within five (5) school days of the date of recording, and/or notice of the recording.

C. Approval/denial of a viewing request will be made within ten (10) school days of receipt of the request and so communicated to the requesting individual.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS OPERATIONS** **AR 3515.1**

**VIDEO SURVEILLANCE (continued)**

D. Video recordings will be made available for viewing within three (3) school days of the request approval.

E. Actual viewing will be permitted only at school sites, including school buildings or essential administrative offices.

F. All viewing will include the building principal, superintendent, or his/her designee.

G. A written log shall be maintained for those viewing video recordings, including the date of viewing, reason for viewing, date the recording was made, location of recording (school or District office), and signature of the viewer.

H. Video recordings shall remain the property of the District and may be reproduced only in accordance with law, including applicable board policy and regulations.

*Legal References*
*20 U.S.C. § 1232(g) (Family Education Rights and Privacy Act of 1974)*
*California Education Code § 49073, et seq. (Student Records)*
*California Government Code § 6250, et seq. (California Public Records Act).*

Board Adopted: January 4, 2006
Date Revised: April 13, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NON-INSTRUCTIONAL OPERATIONS** **BP 3515.4**

# RECOVERY FOR PROPERTY LOSS OR DAMAGE

The Governing Board desires to create a safe and secure learning environment and to minimize acts of vandalism and damage to school property. To discourage such acts, the district shall seek reimbursement of damages, within the limitations specified in law, from any individual, or from the parent/guardian of any minor, who has committed theft or has willfully damaged district or employee property.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 4156.3 – Employee Property Reimbursement)
(cf. 4158 – Employee Security)
(cf. 5125.2 – Withholding Grades, Diploma, or Transcripts)
(cf. 5131 – Conduct)
(cf. 5161.5 – Vandalism and Graffiti)
(cf. 5136 - Gangs)
(cf. 5144.1 – Suspension and Expulsion/Due Process)

Rewards

When district or law enforcement officials have not been able to identify the person(s) responsible for the theft or vandalism of district property, the Board may authorize a reward for the identification and apprehension of the responsible person(s). The Board shall determine the appropriate amount of the reward. The Superintendent or designee shall disburse the reward when the guilt of the person responsible for the act has been established by a criminal conviction or other appropriate judicial procedure.

Legal Reference:
EDUCATION CODE
19910 Libraries, malicious cutting, tearing, defacing, breaking or injuring
19911 Libraries, willful detention of property
44810 Willful interference with classroom conduct
48904 Willful misconduct, limit of liability of parent or guardian
CIVIL CODE
1714.1 Liability of parent or guardian for act of willful misconduct by a minor
GOVERNMENT CODE
53069.5 Reward for information
53069.6 Actions to recover damages
54951 Local agency, definition
PENAL CODE
484 Theft defined
594 Vandalism
594.1 Aerosol containers of paint
640.5 Graffiti; facilities or vehicles of governmental entity
640.6 Graffiti
Management Resources:
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov

(2/95 10/97) 7/09

Date Adopted: August 4, 2010

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NON-INSTRUCTIONAL OPERATIONS** **AR 3515.4**

# RECOVERY FOR PROPERTY LOSS OR DAMAGE

## Reports by Staff

District employees shall report any damage to or loss of school property to the principal or designee immediately after such damage or loss is discovered. In those instances in which insurance reimbursement may be involved, the principal or designee shall contact the appropriate district official.
(cf. 3530 – Risk Management/Insurance)
(cf. 5161.5 – Vandalism and Graffiti)

## Investigation

The Superintendent or designee shall conduct a complete investigation of any instance of damage to or loss of school property and shall consult law enforcement officials when appropriate. If it is determined that the damage has been committed by any district student, the Superintendent of designee shall initiate appropriate disciplinary procedures against the student.
(cf. 3515.3 – District Police/Security Department)
(cf. 5131 – Conduct)
(cf. 5144 – Discipline)
(cf. 5144.1 – Suspension and Expulsion/Due Process)
(cf. 5145.3 – Nondiscrimination/Harassment)
(cf. 5145.7 – Sexual harassment)
(cf. 5145.9 – Hate-Motivated Behavior)

## Recovery of Damages

When the individual causing the damage or loss has been identified and the costs of repair, replacement, or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover the district's costs and shall consult with the district's legal counsel and/or insurance administrator, as appropriate.

Such steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person and, if the responsible person is a minor, from his/her parent/guardian in accordance with law. Damages may include the cost of repair or replacement of the property, the payment of any reward, interest, court costs, and all other damages as provided by law.

**BUSINESS AND NON-INSTRUCTIONAL OPERATIONS** **AR 3515.4**

**RECOVERY FOR PROPERTY LOSS OR DAMAGE (continued)**

Payment of Reward

When authorized according to Board policy, the Superintendent or designee shall pay the reward to the party who provides information sufficient to identify and apprehend the person(s) subsequently determined to be responsible for the damage or loss. If more than one person provides information, the reward shall be divided among them as appropriate.

(12/91 10/97) 7/09

Date Adopted: August 4, 2010

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3515.5**

## SEX OFFENDER NOTIFICATION

In order to protect students while they are traveling to and from school, or attending school or a school-related activity, the Governing Board believes it is important that the district respond appropriately when a law enforcement agency notifies the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt and dissemination of such information. To the extent authorized by law, the Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

To protect the district and its employees from liability, employees shall disseminate sex offender information in good faith, and only in the manner and to the extent authorized by the law enforcement agency.

The Superintendent or designee may annually notify parents/guardians of the availability of information about registered sex offenders on the Department of Justice's Internet website.
(cf. 0450 - Comprehensive Safety Plan)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3515 - Campus Security)
(cf. 5142 - Safety)

Role of District Police/Security Department/School Resource Officer (SRO)

In accordance with law, Board policy and administrative regulation, the district police/security department/SRO may disseminate information about registered sex offenders to the school community. The district police/security department/SRO shall consult with local law enforcement and the Superintendent or designee prior to any such dissemination.
(cf. 3515.3 - District Police/Security Department)

The district police/security department/SRO shall maintain records of the means and dates of dissemination for five years. (PC 290.45)

**SEX OFFENDER NOTIFICATION (continued)**

*Legal Reference:*
*EDUCATION CODE*
*32211 Threatened disruption or interference with classes; offense*
*35160 Authority of boards*
*35160.1 Board authority of school districts*
*PENAL CODE*
*290 Registration of sex offenders*
*290.4 Sex offender registration; compilation of information*
*290.45 Release of sex offender information*
*290.46 Making information about certain sex offenders available via the Internet*
*290.9 Addresses of persons who violate duty to register*
*290.95 Disclosure by person required to register as sex offender*
*626.8 Disruptive entry or entry of sex offender upon school grounds*
*830.32 School district and community college police*
*3003 Parole, geographic placement*
*UNITED STATES CODE, TITLE 42*
*14071 Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program Act*
*ATTORNEY GENERAL OPINIONS*
*82 Ops.Cal.Atty.Gen. 20 (1999)*

*Management Resources:*
*WEB SITES*
*California Department of Justice, Megan's Law mapping: http://www.meganslaw.ca.gov*

(2/99 11/03) 3/05

Date Adopted: December 9, 2015

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3515.5**

## SEX OFFENDER NOTIFICATION

The Superintendent or designee shall develop a plan for receiving and communicating information about registered sex offenders residing within district boundaries. He/She shall ensure, at a minimum, that the following components are part of the plan:

1. The Superintendent or designee shall appoint a liaison with law enforcement regarding these matters.

2. The Superintendent or district liaison shall, at the beginning of each school year, contact local law enforcement to coordinate the receipt of information. Law enforcement shall be informed that all notifications and correspondence should be directed to the liaison as well as the individual school sites. A letter shall be sent annually to local law enforcement, identifying the name, phone number, and address of the liaison.

3. The Superintendent or district liaison shall collaborate with law enforcement in order to alert children to the dangers of sex offenders, develop a system for distributing information about sex offenders, and train school staff and parents/guardians about the roles and responsibilities of both the district and law enforcement.

4. The Superintendent or liaison shall, at the beginning of each school year, notify parents/guardians of the district's willingness and intention to work with law enforcement on this matter and shall explain the appropriate roles and responsibilities of both the district and law enforcement.

   This communication shall also explain:

   a. The reporting requirements pursuant to Penal Code 290 and 290.45, including the fact that law enforcement is the agency best able to assess the relative danger of a sex offender

   b. The ability of the parents/guardians to contact law enforcement for additional information and to view the information on the Megan's Law Internet website

5. When law enforcement notifies the district of the residency or employment of a sex offender within district boundaries, the Superintendent or district liaison shall consult with law enforcement about the appropriate scope of the disclosure. When authorized by law enforcement, the Superintendent or liaison may disclose information about a sex offender to the following staff:

   a. The principal of the school which is in the attendance area of the sex offender's residence or place of employment

**SEX OFFENDER NOTIFICATION (continued)**

b. Teachers and classified personnel at that school, including staff responsible for visitor registration
(cf. 1250 - Visitors/Outsiders)

c. Principals and staff at adjacent schools, as appropriate

d. Security staff

e. Bus drivers

f. Yard supervisors

6. Any staff member who receives information directly from law enforcement regarding registered sex offenders shall immediately contact the Superintendent or liaison in order to help ensure that the district is able to respond appropriately.

7. If an identified sex offender is seen on or near school grounds or around any student, staff shall immediately contact the district liaison. A staff member may also inform local law enforcement.

Notification to Parents/Guardians

When law enforcement has determined that parents/guardians should be notified regarding the presence of a sex offender in the community, the Superintendent or district liaison shall collaborate with local law enforcement in order to determine an appropriate response. This response may include:

1. An article in a school or parent council newsletter notifying parents/guardians that law enforcement information about registered sex offenders is available at the local law enforcement agency headquarters and/or at the school office. This article shall encourage parents/guardians to contact local law enforcement and access the Department of Justice's Megan's Law Internet website for additional information.

2. A mailing, at law enforcement's expense, prepared by law enforcement, and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. This notification shall encourage parents/guardians to contact local law enforcement and access the Department of Justice's Megan's Law Internet website for additional information.

**SEX OFFENDER NOTIFICATION (continued)**

3. A mailing of a letter, at district expense, prepared by law enforcement and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. This notification shall encourage parents/guardians to contact local law enforcement and access the Department of Justice's Megan's Law Internet website for additional information.

Whenever the principal has granted permission to a person who is required to register as a sex offender pursuant to Penal Code 290 to come into a school building or upon school grounds to volunteer at the school, he/she shall notify the parent/guardian of each student at that school, at least 14 days in advance using one of the methods specified in Education Code 48981, that a registered sex offender has been granted such permission, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. (PC 626.81)

(cf. 1240 - Volunteer Assistance)
(cf. 5145.6 - Parental Notifications)

(2/98 11/05) 5/16

Date Adopted: December 9, 2015
Date Revised: September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3516**

## EMERGENCIES AND COMPREHENSIVE SAFETY PLAN

The Governing Board recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster.

The Superintendent or designee shall develop and maintain a plan which details provisions for handling emergencies and disasters and which shall be included in the district's comprehensive school safety plan. (Education Code 32282)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)

The Superintendent or designee shall also develop and maintain emergency plans for each school site.

In developing the district and school emergency plans, the Superintendent or designee may collaborate with city and county emergency responders, including local public health administrators.

The Superintendent or designee may use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating district and site-level emergency and disaster preparedness plans.

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community's needs. (Education Code 32282)
(cf. 1330 - Use of School Facilities)

School employees are considered disaster service workers and are subject to disaster service activities assigned to them. (GC 3100)
(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)
(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3516.5**

## EMERGENCY SCHEDULES

In order to provide for the safety of students and staff, the Governing Board authorizes the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental, health, or weather conditions, or other emergencies, warrant.

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code 41422 or 46392, thereby preventing the district from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction (SPI) the necessary forms and/or affidavits for obtaining approval of apportionment credit for the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant district records as may be required.

For school closures or material decreases in attendance due to emergency events that occur between September 2, 2021 and June 30, 2026, the Superintendent or designee shall certify in the affidavit submitted to the SPI that the district has a plan for offering independent study within 10 instructional days of the school closure to any student impacted by the emergency condition. The plan shall address the establishment, within a reasonable time, of independent study master agreements as specified in Board Policy 6158 - Independent Study, and require reopening in person as soon as possible once allowable under the direction from the city or county health officer. (EC 46393)

For school closures or material decreases in attendance due to emergency events occurring on or after July 1, 2026, the Superintendent or designee shall certify in the affidavit submitted to the SPI that the district's comprehensive safety plan includes an instructional continuity plan, and that the district offered student engagement and instruction consistent with the instructional continuity plan, or that it did not do so due to extenuating circumstances. (EC 46393)

The Superintendent or designee shall establish a system for informing students and parents/guardians with timely notice in advance of any changes to the school day, a school closure, or if school buses are not operating as scheduled. The district's notification system shall include, but is not limited to, notifying local television, streaming services, and/or radio stations; posting on district website(s) and/or social media account(s); sending email and text messages; and/or making telephone calls.

When the district makes any notification to students and/or parents/guardians utilizing an automatic dialing-announcing device, the device shall be operated by a person who shall follow all procedures required by law prior to operating the device, and disconnect the device from the telephone line upon the termination of the call. (Public Utilities Code 2874)

**EMERGENCY SCHEDULES (continued)**

Whenever the school day schedule changes after students have arrived at school, the Superintendent or designee shall ensure that students are supervised in accordance with the procedures specified in Board Policy/Administrative Regulation 3516 - Emergencies and Disaster Preparedness Plan.

The Superintendent or designee may provide a means to make up lost instructional time later during the year.

Date Adopted: May 28, 2025

## BUSINESS AND NONINSTRUCTIONAL OPERATIONS BP 3516

## EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

*Legal Reference:*
*EDUCATION CODE*
*32001 Fire alarms and drills*
*32040 Duty to equip school with first aid kit*
*32280-32289 School safety plans*
*32290 Safety devices*
*39834 Operating overloaded bus*
*46390-46392 Emergency average daily attendance in case of disaster*
*49505 Natural disaster; meals for homeless students; reimbursement*
*GOVERNMENT CODE*
*3100 Public employees as disaster service workers*
*8607 Standardized emergency management system*
*CODE OF REGULATIONS, TITLE 5*
*550 Fire drills*
*560 Civil defense and disaster preparedness plans*
*CODE OF REGULATIONS, TITLE 19*
*2400-2450 Standardized emergency management system*
*UNITED STATES CODE, TITLE 42*
*12101-12213 Americans with Disabilities Act*

*Management Resources:*
*CSBA PUBLICATIONS*
*Avian Influenza, Governance and Policy Services Fact Sheet, April 2006*
*911! A Manual for Schools and the Media During a Campus Crisis, 2001*
*CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS*
*Pandemic Influenza Planning Checklist, 2006*
*CONTRA COSTA COUNTY OFFICE OF EDUCATION*
*Pandemic Flu School Action Kit, June 2006*
*GOVERNOR'S OFFICE OF EMERGENCY SERVICES*
*School Emergency Response: Using SEMS at Districts and Sites, June 1998*
*U.S. DEPARTMENT OF EDUCATION PUBLICATIONS*
*Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003*
*WEB SITES*
*CSBA: http://www.csba.org*
*American Red Cross: http://www.redcross.org*
*California Department of Education, Crisis Preparedness: http://www.cde.ca.gov/ls/ss/cp*
*California Office of Emergency Services: http://www.oes.ca.gov*
*California Seismic Safety Commission: http://www.seismic.ca.gov*
*Centers for Disease Control and Prevention: http://www.cdc.gov*
*Contra Costa County Office of Education, Pandemic influenza resources: http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kit*
*Federal Emergency Management Agency: http://www.fema.gov*
*U.S. Department of Education, Emergency Planning: http://www.ed.gov/admins/lead/safety/emergencyplan*
*U.S. Department of Homeland Security: http://www.dhs.gov*

(6/96 11/04) 7/06

Date Adopted: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3540**

# TRANSPORTATION

The Governing Board desires to provide for the safe and efficient transportation of students to and from school as necessary to ensure student access to the educational program, promote regular attendance, and reduce tardiness. In determining the extent to which the district will provide transportation services, the Board shall weigh student and community needs against the cost of providing such services.

The Superintendent or designee shall recommend to the Board economical, environmentally sustainable, and appropriate means of providing transportation services. The district's transportation services may be provided by means of a joint powers agreement, a cooperative student transportation program, or a consortium, as permitted by law.

No student shall be required to be transported for any reason without the written permission of the student's parent/guardian, except in emergency situations involving illness or injury to the student pursuant to Education Code 35350 or the evacuation of students as necessary for their safety.

## Transportation Plan

The Superintendent or designee shall develop a transportation plan in consultation with classified staff, teachers, school administrators, regional local transit authorities, local air pollution control districts and air quality management districts, parents/guardians, students, and other stakeholders. (Education Code 39800.1)

The transportation plan shall be presented to and adopted by the Board at an open meeting, with the opportunity for in-person and remote public comment, and shall be updated annually by April 1. (Education Code 39800.1)

The transportation plan shall include descriptions of the following: (Education Code 39800.1)

1. The transportation services offered to students

2. How transportation services will be prioritized for low-income students, students in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive

3. The transportation services accessible to students with disabilities and homeless children and youth, as defined pursuant to the federal McKinney-Vento Homeless Assistance Act (42 USC 11301)

4. How unduplicated students, as defined in Education Code 42238.02, will be able to access available home-to-school transportation at no cost

## Transportation Contracts

The Board may purchase, rent, or lease vehicles; contract with a common carrier or municipally owned transit system; contract with responsible private parties including the parent/guardian of the student being transported; and/or contract with the County Superintendent of Schools. (Education Code 35330, 39800, 39801)

## TRANSPORTATION (continued)

In contracting for transportation services, the district shall comply with all applicable laws related to bids and contracts. (Education Code 39802-39803)

### Safety and Monitoring

The Superintendent or designee shall develop procedures to promote safety for students traveling on school buses.

The district may install a global positioning system (GPS) on school buses and/or student activity buses in order to enhance student safety and provide real-time location data to district and school administrators, and parents/guardians.

The Superintendent or designee shall ensure the qualifications of bus drivers and related staff employed by the district, provide for the maintenance and operation of district-owned school buses and other equipment, and ensure adequate facilities for equipment storage and maintenance.

Date Adopted: March 1, 2023

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3541**

## TRANSPORTATION ROUTES AND SERVICES

It shall be the policy of the Enterprise Elementary School District to provide transportation for TK-8 students who live beyond the designated distances from school.

| GRADES | DISTANCES |
|---|---|
| TK-3 | 3/4 Mile |
| 4-5 | 1 Mile |
| 6-8 | 1-1/2 Mile |

The Superintendent or designee may authorize transportation below these limits when safety problems or hazards exist.
(cf. 5142.2 - Safe Routes to School)

Date Adopted: May 7, 1987
Date Revised: May 26, 1993, August 7, 2019, March 1, 2023

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3541**

## TRANSPORTATION ROUTES AND SERVICES

The Superintendent or designee shall design transportation routes and stops within district boundaries that promote student safety, maximum efficiency in the use of buses, and decreased traffic in and around the schools.
(cf. 3510 - Green School Operations)
(cf. 3514 - Environmental Safety)
(cf. 3540 - Transportation)

All pupils who live outside the designated transportation boundaries are eligible for home to neighborhood school transportation. In addition, transitional kindergarten pupils who live within the ¾-mile limit, but reside closer to a bus stop than their school, may ride the bus on transitional kindergarten bus runs only.

Pupils who are involuntarily sent to another school because of overcrowding shall be provided transportation to the new school for the remainder of the school year. Transportation privileges may be revoked by administration for continual student misconduct.

With the Governing Board's authorization, transportation services may be provided or arranged by the district for:

1. Students traveling to and from school during the regular school day (EC 39800)
2. Field trips and excursions (EC35330)
   (cf. 3541.1 - Transportation for School-Related Trips)
3. School activities, expositions or fairs, or other activities determined to be for the benefit of students (EC 39860)
4. District employees, parents/guardians, and adult volunteers traveling to and from educational activities authorized by the district (EC 39837.5)

The district shall provide home-to-school transportation and additional transportation services as needed for students with disabilities as specified in their individualized education program or Section 504 plan. (EC 41850; 20 USC 1400-1482; 34 CFR 104.4, 300.17, 300.34)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall provide transportation to homeless students in accordance with law, Board policy, and administrative regulation. When the student resides outside of district boundaries, the Superintendent or designee shall consult with the superintendent of the district of residence to apportion the responsibility and costs of transportation. (42 USC 11432)
(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall collaborate with the local child welfare agency to determine the provision, arrangement, and funding of transportation to enable foster youth to attend their school of origin when it is in the student's best interest to do so. (20 USC 6312)
(cf. 6173.1 - Education for Foster Youth)

Date Adopted: May 7, 1987
Date Revised: August 7, 2019, March 1, 2023

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3541.2**

## TRANSPORTATION FOR STUDENTS WITH DISABILITIES

Transportation for students with disabilities shall be provided in accordance with a student's Individualized Education Program (IEP) or Section 504 accommodation plan.
(cf. 3540 - Transportation)
(cf. 6159 - Individualized Education Program (IEP))
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

If a disabled student is excluded from school bus transportation, the district shall provide alternative transportation at no cost to the student or parent/guardian provided that transportation is specified in the student's IEP. (Education Code 48915.5)
(cf. 5131.1 - Bus Conduct)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Superintendent or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP. (Education Code 56366)
(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)

Guide dogs, signal dogs and service dogs trained to provide assistance to disabled persons may be transported in a school bus when accompanied by disabled students, disabled teachers or persons training the dogs. (Education Code 39839)

(2/95 10/97) 7/03

Date Adopted: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3542**

## SCHOOL BUS DRIVERS

In order to provide a safe and efficient student transportation service, the district may employ its own school bus or student activity bus drivers or may contract with an agency that provides such transportation service. Such school bus or student activity bus drivers shall be required to comply with Board Policy 3540 - Transportation and other applicable district policies and regulations.

### Qualifications

All drivers employed to operate a school bus or student activity bus shall: (Education Code 39877, 39878)

1. Hold a valid California driver's license for the appropriate class of vehicle

2. Be at least 18 years of age

3. Pass a criminal background check, including fingerprint clearance consistent with Education Code 45125 for district employees and Education Code 45125.1 for all other compensated drivers

4. Have a satisfactory driving record that does not include any of the following:

    a. Within three years, has committed any violation that results in a conviction assigned a violation point count of two or more, as defined in Vehicle Code 12810 and 12810.5

    b. Within three years, has had driving privilege suspended, revoked, or on probation for any reason involving the unsafe operation of a motor vehicle

    c. Has been determined by the Department of Motor Vehicles (DMV) to be a negligent or incompetent operator

5. Not have demonstrated irrational behavior to the extent that a reasonable and prudent person would have reasonable cause to believe that the driver's ability to perform the duties of a driver may be impaired

6. Not have been convicted of an offense listed in Vehicle Code 13370(a)(1), (a)(5) or (b)

7. Provide the district or the private entity contracting with the district a report showing the driver's current public record as recorded by the DMV and participate in the DMV's pull-notice system

**SCHOOL BUS DRIVERS (continued)**

8. Comply with the district's drug and alcohol testing in accordance with Administrative Regulation 4112.42 - Drug and Alcohol Testing for School Bus Drivers, subject to the cannabis discrimination limitations specified in Government Code 12954

9. Complete a medical examination not more than two years prior to the driver performing student transportation by a qualified health professional

    a. The driver shall provide a copy of the medical certificate to the district or the private entity contracting with the district

    b. The driver shall complete a medical examination pursuant to this paragraph every two years after the initial examination and provide a copy of the medical examiner's certificate of clearance to the district or the private entity contracting with the district

    c. Within the same month of reaching age 65 years, and annually thereafter, the driver shall undergo a medical examination and provide a copy of the medical examiner's certificate of clearance to the district or the private entity contracting with the district

10. Submit and clear a tuberculosis risk assessment pursuant to Education Code 49406

Additionally, all drivers employed to operate school buses or student activity buses shall possess, and retain in their immediate possession while operating the bus, a certificate issued by the California Highway Patrol (CHP) which permits the operation of school buses or student activity buses, as applicable. (Vehicle Code 12517, 12517.4)

The Superintendent or designee may use an electronic fingerprinting system, managed by the California Department of Justice, to fingerprint an applicant for an initial certificate to drive a school bus or student activity bus. (Vehicle Code 12517.3)

When initially applying for or renewing a license or certificate to drive a school bus or student activity bus, and annually upon reaching age 65 years, the driver shall submit to the DMV and to the Superintendent or designee a report of a medical examination conducted in accordance with the timelines and procedures specified in Vehicle Code 12517.2. (13 CCR 1234)

The Superintendent or designee shall notify each driver of the expiration date of the individual's driver's license, certificate, and medical certificate, and shall ensure each document is renewed prior to expiration. (13 CCR 1234)

The Superintendent or designee shall notify the DMV within five days whenever any driver refuses, fails to comply, or receives a positive test result on a drug or alcohol test; is dismissed for a cause

**SCHOOL BUS DRIVERS (continued)**

related to student transportation safety; or is reinstated after being dismissed for a cause related to student transportation safety. (Vehicle Code 1808.8, 13376)

## Training

In addition to any other training required to obtain or renew the certificate authorizing operation of a school bus or student activity bus, drivers shall receive training which includes, but is not limited to:

1. The proper installation of mobile seating devices in the bus securement systems (Education Code 56195.8)

2. The proper actions to be taken in the event that a school bus is hijacked (Education Code 39831)

3. The district's Transportation Safety Plan

   All drivers employed to operate school buses or student activity buses shall complete training at least equivalent to the American Red Cross first aid training program, or hold a valid and current first aid certificate issued by the American Red Cross or equivalent. Additionally, all drivers shall complete training sufficient to gain proficiency in all of the following: (Education Code 39877, 39878)

   a. Pretrip vehicle inspections

   b. Safe loading and unloading of passengers

   c. Proper use of seatbelts and child safety restraints

   d. Handling accidents, incidents, and emergency situations

   e. Providing proper accommodations for students with disabilities

   f. Defensive driving

   g. Operations in inclement weather

   h. Operations at night or under impaired visibility conditions

**SCHOOL BUS DRIVERS (continued)**

To determine any other needs for professional development, the Superintendent or designee shall periodically review accident reports involving district drivers and may seek input from drivers, district and school administrators, students, and/or other stakeholders on desired topics for professional development.

**Authority**

Students transported in a school bus or student activity bus shall be under the authority of, and responsible directly to, the driver of the bus. The driver shall be held responsible for the orderly conduct of the students while they are on the bus or being escorted across a street, highway, or road. (5 CCR 14103)

The driver shall have the authority to discontinue the operation of a school bus or student activity bus whenever the driver determines that it is unsafe to continue.

This regulation and Administrative Regulation 5131.1 - Bus Conduct shall be made available to parents/guardians, students, teachers, and other interested parties. (5 CCR 14103)

**Responsibilities**

The driver's primary responsibility is to safely transport students to and from school and school activities. The driver shall follow procedures contained in district plans and regulations pertaining to transportation safety.

The driver shall stop to load or unload students only at school bus stops designated by the Superintendent or designee, or authorized by the Superintendent or designee for school activity trips. (Vehicle Code 22112)

The driver shall activate the amber warning light system, flashing red signal lights, and stop arm signal and shall escort students in accordance with Vehicle Code 22112.

The driver shall not require any student to leave the bus en route between home and school or other destinations. (5 CCR 14103)

The driver shall not drive a school bus or student activity bus while using a wireless telephone or using a wireless communications device for text-based communication, except when otherwise authorized by law and Administrative Regulation 3543 - Transportation Safety and Emergencies.

All drivers employed to operate school buses or student activity buses shall not drive for more than 10 hours within a work period, or after the end of the 16th hour after coming on duty following

**SCHOOL BUS DRIVERS (continued)**

eight consecutive hours off duty. Additionally, drivers shall maintain a daily log sheet and complete the daily pretrip inspection of the vehicle before the vehicle is driven. The pretrip inspection shall include a check of the vehicle for fluid leaks and the operability of all lights and the brakes, each of which shall be initialed by the driver. (Education Code 39877, 39878)

The driver shall report at the completion of each day's work on each vehicle operated by the driver, all of the following to the Superintendent or designee:

1. The condition of the driver's bus at the completion of each work day (13 CCR 1215; 49 CFR 396.11, 396.13)

2. The driver's duty status for each 24-hour period, including, but not limited to, the number of hours on and off duty (13 CCR 1213)

3. Any traffic accident involving the driver's bus (13 CCR 1219)

   In addition to notifying the Superintendent or designee, the driver shall immediately notify the CHP of any traffic accident and, if the bus is operated under contract, the driver's employer. (13 CCR 1219)

4. Traffic violations by the driver

5. Consistently late school dismissals which cause transportation delays for the driver's bus

6. Overload runs by the driver

7. Recurring and serious student misbehavior on the driver's bus

8. Parent/guardian and student complaints regarding the driver or related to the driver's bus

**Vehicle Idling**

The driver of a school bus or student activity bus shall do both of the following: (13 CCR 2480)

1. Turn off the bus engine upon stopping at a school or within 100 feet of a school and not restart the engine more than 30 seconds before beginning to depart

**SCHOOL BUS DRIVERS (continued)**

2. Not cause or allow the bus to idle at any location greater than 100 feet from a school for more than five consecutive minutes or for an aggregated period of more than five minutes in any one hour

However, vehicle idling may be allowed under limited conditions, including, but not limited to, all of the following occasions when idling is necessary to: (13 CCR 2480)

1. Stop for an official traffic control signal or device, for traffic conditions under which the driver has no control, or at the direction of law enforcement

2. Ascertain that the bus is in safe operating condition and properly equipped

3. Operate equipment designed to safely load, unload, or transport students with disabilities

4. Operate a heater, air conditioner, defroster, or other equipment as necessary to ensure the safety or health of passengers

5. Cool down a turbo-charged diesel engine before turning off the engine

6. Recharge a battery or other energy storage unit of a hybrid electric bus or vehicle

The Superintendent or designee shall notify all drivers, upon employment and at least once per year thereafter, of the requirements specified above and the potential legal and employment consequences of failure to comply. All complaints of noncompliance shall be reviewed and remedial action taken as necessary. The Superintendent or designee shall retain records of the training and of any complaints and enforcement actions for at least three years. (13 CCR 2480)

**Reports**

The Superintendent or designee shall retain records of all of the following: (13 CCR 1234)

1. Each driver's duty status and supporting documents provided pursuant to 13 CCR 1201 and 1213

   Such records shall be retained for six months and made available to the CHP upon request.

2. The different types of vehicles and vehicle combinations each driver has demonstrated capability to operate

**SCHOOL BUS DRIVERS (continued)**

3. Records of each driver's license, certificate, medical certificate, first aid certificate, and training as specified in 13 CCR 1234

4. Daily vehicle inspection reports prepared by drivers pursuant to 13 CCR 1215

5. School bus accident reports

   A report of each accident that occurred on public or private property involving a school bus with students aboard, including pertinent details of the accident, shall be retained for 12 months from the date of the accident. If the accident was not investigated by CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five business days of the date of the accident.

Date Adopted: September 3, 2008
Date Revised: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3543**

## TRANSPORTATION SAFETY AND EMERGENCIES

Safety Equipment

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. (Education Code 39838; 13 CCR 1242)

The Superintendent or designee shall ensure that any school bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus designed for carrying more than 16 passengers and the driver and is manufactured on or after July 1, 2005

2. Is a Type 2 school bus or student activity bus designed for carrying 16 or fewer passengers and the driver, or designed for carrying 20 or fewer passengers and the driver and having a manufacturer's vehicle weight rating of 10,000 pounds or less, and is manufactured on or after July 1, 2004

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Bus drivers shall be informed of procedures to be followed to reasonably enforce proper use of the passenger restraint system.

Safe Bus Operations

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be moved immediately to ensure their safety.
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)**

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips shall have the authority to discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)
(cf. 3516.5 - Emergency Schedules)
(cf. 3540 - Transportation)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3542 - School Bus Drivers)

A driver shall not use a wireless telephone while driving a school bus, student activity bus, or other motor vehicle, except under the following conditions: (Vehicle Code 23123, 23125)

1. For emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity

2. For work-related purposes

3. When he/she uses a wireless telephone that is specifically designed and configured to allow hands-free listening and talking, provided it is used in that manner while driving

(cf. 3513.1 - Cellular Phone Reimbursement)
(cf. 4040 - Employee Use of Technology)

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.
(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Transportation Safety Plan for Boarding and Exiting Buses

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall include all of the following: (Education Code 39831.3)

1. Procedures for determining if students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112

2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops

3. Procedures for boarding and exiting a school bus at a school or other trip destination

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol. (Education Code 39831.3)

Notifications

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a school bus or student activity bus. This information shall be provided upon registration and shall address: (Education Code 39831.5)

1. A list of school bus stops near each student's home

2. General rules of conduct at school bus loading zones

3. Red light crossing instructions

4. The school bus danger zone

5. Safety while walking to and from school bus stops

(cf. 5145.6 - Parental Notifications)

Student Instruction

All students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety. (Education Code 39831.5)

The Superintendent or designee shall ensure that instruction is provided to students as follows:

1. Each school year, the Superintendent or designee shall provide appropriate instruction in safe riding practices and emergency evacuation drills. Each student who receives home-to-school transportation in a school bus shall be required to receive this instruction. (5 CCR 14102)

2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to: (Education Code 39831.5)

   a. Proper loading and unloading procedures, including escorting by the driver

   b. How to safely cross the street, highway, or private road

   c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use

   d. Proper passenger conduct
   (cf. 5131.1 - Bus Conduct)

   e. Bus evacuation procedures

   f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit. (Education Code 39831.5)

Each time the above instruction is given, the following information shall be documented: (Education Code 39831.5)

   a. District name

   b. School name and location

   c. Date of instruction

   d. Names of supervising adults

   e. Number of students participating

   f. Grade levels of students

   g. Subjects covered in instruction

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)**

h. Amount of time taken for instruction

i. Bus driver's name

j. Bus number

k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the California Highway Patrol. (Education Code 39831.5)

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to: (Education Code 39831.5)

   a. Location of emergency exits

   b. Location and use of emergency equipment

This instruction also may include responsibilities of passengers seated next to an emergency exit. (Education Code 39831.5)

*Legal Reference:*
*EDUCATION CODE*
*39830-39842 Transportation, school buses*
*51202 Instruction in personal and public health and safety*
*PENAL CODE*
*241.3 Assault against school bus driver*
*243.3 Battery against school bus driver*
*VEHICLE CODE*
*545-546 Definition of school bus and school pupil activity bus*
*22112 Loading and unloading passengers*
*23123 Use of wireless telephone prohibited while driving motor vehicle*
*23125 Use of wireless telephone prohibited while driving school bus*
*27316 Passenger restraint systems*
*34500 California Highway Patrol responsibility to regulate safe operation of school buses*
*34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses*
*34501.6 School buses; reduced visibility*
*34508 California Highway Patrol responsibility to adopt rules re: equipment and operations of school buses*
*CODE OF REGULATIONS, TITLE 5*
*14100-14105 School buses and student activity buses*
*CODE OF REGULATIONS, TITLE 13*
*1200-1293 Motor carrier safety*
*CODE OF FEDERAL REGULATIONS, TITLE 49*
*571.1-571.500 Motor vehicle standards, including school buses*

*Management Resources:*
*WEB SITES*
*California Association of School Business Officials: http://www.casbo.org*
*California Association of School Transportation Officials: http://www.castoways.org*
*California Department of Education, Office of School Transportation: http://www.cde.ca.gov/ls/tn*
*California Highway Patrol: http://www.chp.ca.gov*
*National Coalition for School Bus Safety: http://www.ncsbs.org*
*National Transportation Safety Board: http://www.ntsb.gov*
*U.S. Department of Transportation, National Highway Traffic Safety Administration: http://www.nhtsa.dot.gov*

(11/01 7/04) 3/08

Date Adopted: September 3, 2008

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3550**

## FOOD SERVICE/CHILD NUTRITION PROGRAM

The Governing Board recognizes that adequate, nourishing food is essential to student health and well-being, development, and ability to learn. The Superintendent or designee shall develop strategies to increase students' access to and participation in the district's food service programs and maintain fiscal integrity of the programs in accordance with law.

Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease
2. Meet or exceed nutrition standards specified in law
3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits
4. Be served in age-appropriate portions
5. Be provided at no cost to students who request a meal

At the beginning of each school year, the Superintendent or designee shall communicate information related to the district's food service programs to the public through available means, including, but not limited to, the district's web site, social media, flyers, and school publications.

The district's food service program shall give priority to serving unprocessed foods and fresh fruits and vegetables.

District schools are encouraged to establish school gardens and/or farm-to-school projects to increase the availability of safe, fresh, seasonal fruits and vegetables for school meals and to support the district's nutrition education program.

To the extent possible, the school meal program shall be coordinated with the nutrition education program, instructional program for teachers, parents/guardians and food service employees, available community resources, and other related district programs.

To encourage student participation in school meal programs, schools may offer multiple choices of food items within a meal service, provided all food items meet nutrition standards and all students are given an opportunity to select any food item.

The Superintendent or designee may invite students and parents/guardians to participate in the selection of foods of good nutritional quality for school menus.

Students shall be allowed adequate time and space to eat meals. To the extent possible, school, recess, and transportation schedules shall be designed to promote participation in school meal programs.

The Superintendent or designee shall periodically review the adequacy of school cafeterias and facilities for food preparation and consumption.

**FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)**

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation and service process.

The Superintendent or designee shall annually report to the Board on student participation in the district's nutrition programs and the extent to which the district's food service program meets state and federal nutrition standards for foods and beverages. In addition, the Superintendent or designee shall provide all necessary and available documentation required for the Administrative Review conducted by the California Department of Education (CDE) to ensure the food service program's compliance with federal requirements related to nutrition standards, meal patterns, provision of drinking water, school meal environment, food safety, and other areas as required by the CDE.

Date Adopted: October 1, 2003
Date Revised: June 1, 2005, April 5, 2006, September 3, 2008, December 13, 2023

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3550**

## FOOD SERVICE/CHILD NUTRITION PROGRAM

### Nutrition Standards for School Meals

Meals, food items, and beverages provided through the district's food services program shall: (EC 49501.5, 49553; 42 USC 1758, 1773)

1. Comply with National School Lunch and/or Breakfast Program standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10 or 220.8 as applicable

2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7

### Drinking Water

The district shall provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (EC 38086; 42 USC 1758)

### Special Milk Program

Any school that does not participate in the National School Lunch or Breakfast Program may participate in the Special Milk Program to provide all enrolled students with reasonably priced milk. (7 CFR 215.7)

### Food Safety

The Superintendent or designee shall ensure that the district's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. The district's HACCP plan shall include, but is not limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall ensure that food service directors, managers, and staff complete an annual continuing education or training as required by law. Each new employee, including a substitute, or volunteer shall complete initial food safety training prior to handling food. For each employee, the Superintendent or designee shall document the date, trainer, and subject of each training.

The Superintendent or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3550**

**FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)**

**Inspection of Food Facilities**

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall retain records from the most recent food safety inspection. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

Date Adopted: October 1, 2003
Date Revised: June 1, 2005, April 5, 2006, September 3, 2008, December 13, 2023

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3551**

## FOOD SERVICE OPERATIONS/CAFETERIA FUND

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.
(cf. 3100 - Budget)
(cf. 3300 - Expenditures and Purchases)
(cf. 3311 - Bids)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552 - Summer Meal Program)
(cf. 5030 - Student Wellness)

The Superintendent or designee shall ensure that all food service personnel possess the required qualifications and receive ongoing professional development related to the effective management and implementation of the district's food service program in accordance with law.
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the California Department of Education (CDE). (42 USC 1776)

Meal Sales

Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (EC 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public.

## FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees is not overtly identified, shamed, treated differently, or served a meal that differs from the meal served to students whose parent/guardian does not have unpaid school meal fees. (EC 49557.5)

Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation. Such students shall not be overtly identified or treated differently from other students.
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3553 - Free and Reduced Price Meals)

### Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund. The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (EC 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.
(cf. 3230 - Federal Grant Funds)
(cf. 3400 - Management of District Assets/Accounts)
(cf. 3460 - Financial Reports and Accountability)

### Contracts with Outside Services

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (EC 45103.5; 42 USC 1758; 7 CFR 210.16)
(cf. 3312 - Contracts)
(cf. 3600 - Consultants)

### Procurement of Foods, Equipment and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3551**

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception.

Furthermore, the district shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside the state. (Food and Agriculture Code 58595)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the district's food service program with federal requirements related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.
(cf. 3555 - Nutrition Program Compliance)

Legal Reference:
EDUCATION CODE
38080-38086 Cafeteria, establishment and use
38090-38095 Cafeterias, funds and accounts
38100-38103 Cafeterias, allocation of charges
42646 Alternate payroll procedure
45103.5 Contracts for management consulting services; restrictions
49490-49493 School breakfast and lunch programs
49500-49505 School meals
49554 Contract for services
49550-49564.5 Meals for needy students
49580-49581 Food recovery program
FOOD AND AGRICULTURE CODE

58595 Preference for California-grown agricultural products
HEALTH AND SAFETY CODE
113700-114437 California Retail Food Code
PUBLIC CONTRACT CODE
2000-2002 Responsive bidders
20111 Contracts
CODE OF REGULATIONS, TITLE 5
15550-15565 School lunch and breakfast programs
UNITED STATES CODE, TITLE 42
1751-1769j School lunch programs
1771-1791 Child nutrition, including:
1773 School breakfast program
CODE OF FEDERAL REGULATIONS, TITLE 2
200.56 Indirect costs, definition
200.318-200.326 Procurement standards
200.400-200.475 Cost principles
200 Appendix VII Indirect cost proposals
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program
250.1-250.70 USDA foods

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California School Accounting Manual
Food Distribution Program Administrative Manual
Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018
Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, NSD Management Bulletin, SNP-03-2017, April 2017
Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, Bad Debt Policies, and the Handling of Unpaid Meal Charges, NSD Management Bulletin, USDA-SNP-06-2015, May 2015
Cafeteria Funds--Allowable Uses, NSD Management Bulletin, NSD-SNP-07-2013, May 2013
Paid Lunch Equity Requirement, NSD Management Bulletin, USDA-SNP-16-2012, October 2012
Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin 00-111, July 2000
U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS
FAQs About School Meals
Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017
Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016
Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, September 2016
Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016
Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016
Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014
WEB SITES
California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu
California School Nutrition Association: http://www.calsna.org
U.S. Department of Agriculture, Food and Nutrition Service: http://www.fns.usda.gov/cnd

(12/13 5/17) 3/18

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**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3551**

**FOOD SERVICE OPERATIONS/CAFETERIA FUND**

Payments for Meals

With the exception of students who are eligible to receive meals at no cost, students may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552 - Summer Meal Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)

At the beginning of the school year, and whenever a student enrolls during the school year, parents/guardians shall be notified of the district's meal payment policies and be encouraged to prepay for meals whenever possible. The Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year

2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually

3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year

4. Posting the policy on the district's web site

5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance
   (cf. 1113 - District and School Web Sites)
   (cf. 5145.6 - Parental Notifications)

In order to avoid potential misuse of a student's food service account by someone other than the student in whose name the account has been established, the Superintendent or designee shall verify a student's identity when setting up the account and when charging any meal to the account. The Superintendent or designee shall investigate any claim that a bill does not belong to a student or is inaccurate, shall not require a student to pay a bill that appears to be the result of identity theft, and shall open a new account with a new account number for a student who appears to be the subject of identity theft.
(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

Any payments made to a student's food service account shall, if not used within the school year, be carried over into the next school year or be refunded to the student's parents/guardians.

Unpaid and Delinquent Meal Charges

No later than 10 days after a student's school meal account has reached a negative balance, the Superintendent or designee shall so notify the student's parent/guardian. Before sending this notification, the district shall exhaust all options and methods to directly certify the student for free or reduced-price meals. If the district is not able to directly certify the student, the notice to the parent/guardian shall include a paper copy of, or an electronic link to, an application for free or reduced-price meals and the Superintendent or designee shall contact the parent/guardian to encourage submission of the application. (EC 49557.5)

The district may attempt to collect unpaid school meal fees from a parent/guardian, but shall not use a debt collector. (EC 49557.5)

The Superintendent or designee may enter into an agreement with a student's parent/guardian for payment of the student's unpaid meal charge balance over a period of time. As necessary, the repayment plan may allow the unrecovered or delinquent debt to carry over into the next fiscal year.

The district shall not direct any action toward a student to collect unpaid school meal fees. (EC 49557.5)

The district's efforts to collect debt shall be consistent with district policies and procedures, California Department of Education (CDE) guidance, and 2 CFR 200.426. The district shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.

The Superintendent or designee shall maintain records of the efforts made to collect unpaid meal charges and, if applicable, financial documentation showing when the unpaid meal balance has become an operating loss.

Reimbursement Claims

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price, and full-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to CDE using the online Child Nutrition Information and Payment System.

## FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Donation of Leftover Food

To minimize waste and reduce food insecurity, the district may provide sharing tables where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (HSC 114079)

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (HSC 114079)

Cafeteria Fund

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the Governing Board shall be recorded as income and expenditures of the cafeteria fund. (EC 38090, 38091)
(cf. 3100 - Budget)
(cf. 3300 - Expenditures and Purchases)

The cafeteria fund shall be used only for those expenditures authorized by the Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the expenditure's purpose and basis. (EC 38101)
(cf. 3110 - Transfer of Funds)

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (EC 38101)

Net cash resources in the nonprofit school food service shall not exceed three months average expenditures. (2 CFR 220.14)

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

U.S. Department of Agriculture Foods

The Superintendent or designee shall ensure that foods received through the U.S. Department of Agriculture (USDA) are handled, stored, and distributed in facilities which: (7 CFR 250.14)

1. Are sanitary and free from rodent, bird, insect, and other animal infestation

2. Safeguard foods against theft, spoilage, and other loss

3. Maintain foods at proper storage temperatures

4. Store foods off the floor in a manner to allow for adequate ventilation

5. Take other protective measures as may be necessary

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR 250.59)

Contracts with Outside Services

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (EC 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services, including prices to be charged to students for meals, and shall monitor the food service operation through periodic on-site visits. The district shall not enter into a contract with a food service company to provide a la carte food services only, unless the company agrees to offer free, reduced-price, and full-price reimbursable meals to all eligible students. (EC 49554; 42 USC 1758; 7 CFR 210.16)

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3551**

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (EC 45103.5)

(cf. 3312 - Contracts)
(cf. 3515.6 - Criminal Background Checks for Contractors)
(cf. 3600 - Consultants)
(cf. 4112.4/4212.4/4312.4 - Health Examinations)
(cf. 4212 - Appointments and Conditions of Employment)

(12/13 5/17) 3/18

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**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3553**

## FREE AND REDUCED PRICE MEALS

The Governing Board recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district's food service program.
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3552 - Summer Meal Program)
(cf. 5030 - Student Wellness)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6177 - Summer Learning Programs)

The district shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (EC 49550, 49552)

To provide optimal nutrition and reduce the administrative burden of food service operations, the Superintendent or designee shall assess the eligibility of district schools to provide breakfast and/or lunch free of charge to all students at the school under a federally funded universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a.

If any district school meets the criteria for a "very high poverty school" through its eligibility for the federal Community Eligibility Provision reimbursement rate pursuant to 42 USC 1759a, the district shall apply to the California Department of Education (CDE) to operate a universal meal service, unless the Board adopts a resolution stating that the district is unable to comply with this requirement due to fiscal hardship. The resolution shall be part of the public agenda for at least two consecutive Board meetings, first as an information item and then as an action item. The Board shall reconsider the resolution at least once every four years. (EC 49564; 42 USC 1759a)

The Superintendent or designee shall ensure that meals provided through the free and reduced-price meals program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.
(cf. 3550 - Food Service/Child Nutrition Program)

The Board shall approve, and shall submit to the CDE for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. (EC 49557)
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5145.3 - Nondiscrimination/Harassment)

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3553**

**FREE AND REDUCED PRICE MEALS (continued)**

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meal program shall be confidential and may not be released except as provided by law and authorized by the Board or pursuant to a court order. (EC 49558)
(cf. 5125 - Student Records)

The Board authorizes designated employees to use individual records pertaining to student eligibility for the free and reduced-price meal program for the following purposes: (EC 49558)

1. Disaggregation of academic achievement data
   (cf. 6162.51 - State Academic Achievement Tests)

2. Identification of students eligible for services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576
   (cf. 6171 - Title I Programs)

If a student transfers from the district to another district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist in the continuation of the student's meal benefits.

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household for purposes related to program eligibility and data used in local control funding formula calculations. (EC 49558)

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the local control funding formula and for assessing accountability of that funding. (EC 49558)

The Superintendent or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals or, if included in the agreement with the local agency, for reduced-price meals. He/she also may release information on the school lunch application to the local agency that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the district has entered into a memorandum of understanding with

**FREE AND REDUCED PRICE MEALS (continued)**

the local agency which, at a minimum, includes the roles and responsibilities of the district and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (EC 49557.2, 49557.3, 49558)
(cf. 5141.6 - School Health Services)

Legal Reference:
EDUCATION CODE
48980 Notice at beginning of term
49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
49500-49505 School meals
49510-49520 Nutrition
49530-49536 Child Nutrition Act of 1974
49547-49548.3 Comprehensive nutrition service
49550-49564.5 Meals for needy students
CODE OF REGULATIONS, TITLE 5
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs
UNITED STATES CODE, TITLE 20
1232g Federal Educational Rights and Privacy Act
6301-6576 Elementary and Secondary Education Act
UNITED STATES CODE, TITLE 42
1751-1769j School lunch program
1771-1791 Child nutrition, especially:
1773 School breakfast program
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.10-220.21 National School Breakfast Program
245.1-245.13 Determination of eligibility for free and reduced-price meals and free milk

Management Resources:
CSBA PUBLICATIONS
Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Direct Certification Implementation ChecklistFree and Reduced-Price Meals: Universal Meal Service, Nutrition Services Division Management Bulletin SNP-01-2018, January 2018U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS
Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2015
U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS (continued)
Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu
California Food Policy Advocates: http://cfpa.net
California Project LEAN (Leaders Encouraging Activity and Nutrition): http://www.californiaprojectlean.org
U.S. Department of Agriculture, Food and Nutrition Service: http://www.fns.usda.gov/cnd

(3/16 7/16) 3/18

Date Approved: May 31, 2000
Revised: January 9, 2008, February 6, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3553**

## FREE AND REDUCED PRICE MEALS

Applications

The Superintendent or designee shall ensure that the district's application form for free and reduced-price meals and related materials include the statements specified in Education Code 49557 and 7 CFR 245.5. The district's application packet shall include the notifications and information listed in Education Code 49557.2.
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3552 - Summer Meal Program)

The application form and related information shall be distributed in paper form to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. (EC 48980, 49520; 42 USC 1758; 7 CFR 245.5)
(cf. 5145.6 - Parental Notifications)

An application form and related information shall also be provided whenever a new student is enrolled.

At the beginning of each school year, the Superintendent or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers in the district attendance area contemplating large layoffs. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

Eligibility

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meal program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

Participants in the CalFresh, California Work Opportunity and Responsibility to Kids (CalWORKS), and Medi-Cal programs shall be directly certified for enrollment in the free and reduced-price meal program without further application. Participants in other state or federal programs may be directly certified when authorized by law. (EC 49561, 49562; 42 USC 1758; 7 CFR 245.6)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6175 - Migrant Education Program)

**FREE AND REDUCED PRICE MEALS (continued)**

Verification of Eligibility

Not later than November 15 of each year, or an alternate date established by federal or state authorities, the Superintendent or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

If the review indicates that the initial eligibility determination is correct, the Superintendent or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the Superintendent or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits

2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below

3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

If any household is to receive a reduction or termination of benefits as a result of verification activities, or if the household fails to cooperate with verification efforts, the Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file in the district the reasons for ineligibility. He/she also shall send a notice of adverse action to any household that is to receive a reduction or termination of benefits. Such notice shall be provided 10 days prior to the actual reduction or termination of benefits. The notice shall advise the household of: (7 CFR 245.6a)

1. The change and the reasons for the change

2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal

3. The right to reapply at any time during the school year

**FREE AND REDUCED PRICE MEALS (continued)**

Confidentiality/Release of Records

The Superintendent designates the Food Services Director to use individual records pertaining to student participation in the free and reduced-price meal program for the purpose of disaggregation of academic achievement data and/or the provision of services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576.

In using the records for such purposes, the Superintendent or designee shall ensure that: (EC 49558)

1. No individual indicators of participation in the free and reduced-price meal program are maintained in the permanent records of any student if not otherwise allowed by law.
   (cf. 5125 - Student Records)

2. Information regarding individual student participation in the free and reduced-price meal program is not publicly released.
   (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

3. All other confidentiality provisions required by law are met.

4. Information collected regarding individual students certified to participate in the free and reduced-price meal program is destroyed when no longer needed for its intended purpose.

Nondiscrimination Plan

The district's plan for students receiving free or reduced-price meals shall ensure the following: (EC 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.

2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.

3. The students shall not be required to work for their meals or for milk.

4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.
   (cf. 0410 - Nondiscrimination in District Programs and Activities)
   (cf. 3555 - Nutrition Program Compliance)

**FREE AND REDUCED PRICE MEALS (continued)**

When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to those students who pay the full price. (EC 49557; 7 CFR 245.8)

Prices

The maximum price that shall be charged to eligible students for reduced-price meals shall be 40 cents for lunch and 30 cents for breakfast. (42 USC 1758, 1773)

(3/16 7/16) 3/18

Date Approved: May 31, 2000
Revised: January 9, 2008, February 6, 2019

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3554**

## OTHER FOOD SALES

The Governing Board believes that sales of foods and beverages at school during the school day should be aligned with the district's goals to promote student wellness. Any food sales conducted outside the district's food service program shall meet nutritional standards specified in law, Board policy, and administrative regulation and shall not reduce student participation in the district's food service program.
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The Board authorizes the Superintendent or designee to approve the sale of foods and beverages outside the district's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.
(cf. 1230 - School-Connected Organizations)
(cf. 1321 - Solicitations of Funds from and by Students)

When vending machines are sponsored by the district or a student or adult organization, the Superintendent or designee shall determine how and where vending machines may be placed at school sites, district offices, or other school facilities.
(cf. 3312 - Contracts)

## OTHER FOOD SALES (continued)

*Legal Reference:*
*EDUCATION CODE*
*35182.5 Contracts, non-nutritious beverages*
*48931 Authorization and sale of food*
*49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001*
*51520 School premises; prohibited solicitations*
*CODE OF REGULATIONS, TITLE 5*
*15500 Food sales in elementary schools*
*15501 Sales in high schools and junior high schools*
*HEALTH AND SAFETY CODE*
*113700-114437 California Retail Food Code*
*UNITED STATES CODE, TITLE 42*

*1751-1769h National School Lunch Act, including:*
*1751 Note Local wellness policy*
*1771-1791 Child nutrition, School Breakfast Program*
*CODE OF FEDERAL REGULATIONS, TITLE 7*
*210.1-210.31 National School Lunch Program*
*220.1-220.21 National School Breakfast Program*

*Management Resources:*
*CSBA PUBLICATIONS*
*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007*
*Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007*
*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006*
*CALIFORNIA DEPARTMENT OF EDUCATION*
*MANAGEMENT BULLETINS*
*06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006*
*FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM*
*PUBLICATIONS*
*Associated Student Body Accounting Manual and Desk Reference, 2002*
*NATIONAL ASSOCIATION OF STATE BOARDS OF*
*EDUCATION PUBLICATIONS*
*Fit, Healthy and Ready to Learn, 2000*
*WEB SITES*
*CSBA: http://www.csba.org*
*California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu*
*California Department of Public Health: http://www.cdph.ca.gov*
*California Healthy Kids Resource Center: http://www.californiahealthykids.org*
*California Project LEAN (Leaders Encouraging Activity and Nutrition): http://www.californiaprojectlean.org*
*Centers for Disease Control and Prevention: http://www.cdc.gov*
*Fiscal Crisis and Management Assistance Team: http://www.fcmat.org*
*National Association of State Boards of Education (NASBE): http://www.nasbe.org*
*U.S. Dept. of Agriculture, Food and Nutrition Information Center: http://www.nal.usda.gov/fnic*

(11/03 11/05) 11/07

Date Adopted: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3554**

## OTHER FOOD SALES

Nutritional Standards for Foods and Beverages

Food and beverage sales outside the district's food service program shall comply with applicable nutritional standards specified in Education Code 49430.5, 49431, 49431.2, 49431.5, and 49431.7 and 5 CCR 15500-15501 and 15575-15578.
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The sale of foods or beverages that do not comply with the standards in Education Code 49431 and 49431.5 may be permitted in either of the following circumstances: (Education Code 49431, 49431.5)

1. It takes place off and away from school premises.

2. It takes place at least one-half hour after the end of the school day.
(cf. 1230 - School-Connected Organizations)
(cf. 1321 - Solicitations of Funds from and by Students)
(cf. 6145 – Extracurricular and Cocurricular Activities)

Additional Requirements for Schools Participating in the National School Lunch or Breakfast Program

For any District school participating in the National School Lunch and/or Breakfast Program, food and beverage sales conducted outside the District's food service program on school campuses during the school day shall comply with applicable nutritional standards specified in 7 CFR 210.11 and 220.12 or with state nutrition standards in Education Code 49431-49431.7 and 5 CCR 15500-15501 and 15575-15578, whichever rule is stricter.

These standards shall apply to all competitive foods and beverages sold from midnight before the school day to one-half hour after the end of the school day. (7 CFR 210.11)

In a school with any of grades K-8 that is participating in the National School Lunch and/or Breakfast Program, the Superintendent or designee shall not permit the sale of foods by a student organization except when all of the following conditions are met: (5 CCR 15500)

1. The student organization shall sell only one food item per sale.
2. The specific nutritious food item is approved by the Superintendent or designee in accordance with Board policy.

**OTHER FOOD SALES (continued)**

3. The sale does not begin until after the close of the regularly scheduled midday food service period.
4. The sale during the regular school day is not of food items prepared on the premises.
5. There are no more than four such sales per year per school.
6. The food sold is not one sold in the district's food service program at that school during that school day.

In middle schools, a student organization may be approved to sell food items during or after the school day if all of the following conditions are met: (5 CCR 15501)

1. Only one student organization conducts a food sale on a given school day and the organization sells no more than three types of food or beverage items, except that up to four days during the school year may be designated on which any number of organizations may conduct the sale of any food items.
2. The specific nutritious food items are approved by the Superintendent or designee in accordance with Board policy.
3. Food items sold during the regular school day are not prepared on the premises.
4. The food items sold are not those sold in the district's food service program at that school during that school day.

The Superintendent or designee shall maintain records, or shall require organizations selling foods and beverages to maintain records, to document compliance with federal nutrition standards for all competitive foods and beverages sold through and outside the District's food services program. At a minimum, these records shall include recipts, nutrition labels, and/or product specifications. (7 CFR 210.11)

(11/05 11/07) 12/13

Date Adopted: September 3, 2008
Date Revised: May 7, 2014

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3580**

## DISTRICT RECORDS

The Governing Board recognizes the importance of securing and retaining district documents. The Superintendent or designee shall ensure that district records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall consult with district legal counsel, site administrators, district information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of district documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft, including damage, loss, or theft, which may be caused by cybersecurity breaches.

The Superintendent or designee shall ensure that employees receive information about the district's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold or California Public Records Act request established on the advice of legal counsel.

Additionally, the Superintendent or designee shall ensure that employees receive information and training about cybersecurity, including ways to protect district records from breaches to the district's digital infrastructure.

If the district discovers or is notified that a breach in the security of district records has resulted in the release of personal information, the Superintendent or designee shall notify every individual whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person, if that information was either unencrypted or encrypted under the circumstances specified in Civil Code 1798.29. Personal information includes, but is not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account. (Civil Code 1798.29)

The Superintendent or designee shall provide the notice in a timely manner either in writing or electronically, unless otherwise provided in law. The notice shall include the material specified in Civil Code 1798.29, be formatted as required, and be distributed in a timely manner, consistent with the legitimate needs of law enforcement to conduct an uncompromised investigation or any measures necessary to determine the scope of the breach and restore reasonable integrity of the data system. (Civil Code 1798.29)

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **BP 3580**

**DISTRICT RECORDS (continued)**

If the district experiences a cyberattack that impacts more than 500 students or personnel, the Superintendent or designee shall report the cyberattack to the California Cybersecurity Integration Center (EC 35266).

**Safe at Home Program**

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (GC 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish district residency requirements for enrollment and for school emergency purposes.

Records containing a participant's confidential address information shall be kept in a confidential location and not shared with the public.

Date Adopted: May 24, 2023

Date Revised: May 28, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS** **AR 3580**

## DISTRICT RECORDS

### Classification of Records

Records means all records, maps, books, papers, and documents of a school district required by law to be prepared or retained as necessary or convenient to the discharge of official duty. (5 CCR 16020)

Before January 1, the Superintendent or designee shall review the prior year's records and shall classify them as either a Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable) record. (5 CCR 16022)

Records of a continuing nature, such as documents that are active and useful for administrative, legal, fiscal, or other purposes over a period of years shall not be classified until such usefulness has ceased. (5 CCR 16022)

Any historical inventory of equipment shall be a continuing record and shall not be classified until the inventory is superseded or until the equipment is removed from district ownership. (5 CCR 16022)

A student's cumulative record, if not transferred, is a continuing record until the student ceases to be enrolled in the district. (5 CCR 16022)

When an electronic or photographed copy of a Class 1 (Permanent) record has been made, the copy may be classified as Class 1 (Permanent) and the original classified as either Class 2 (Optional) or Class 3 (Disposable). However, no original record that is basic to any required audit may be destroyed prior to the second July 1st succeeding the completion of the audit. (EC 35254, 5CCR 16022)

### Class 1 - Permanent Records

The original of each of the following records, or one exact copy of it when the original is required by law to be filed with another agency, is a Class 1 (Permanent) record and shall be retained indefinitely unless microfilmed in accordance with 5 CCR 16022: (5 CCR 16023)

1. Annual Reports
    a. Official budget
    b. Financial reports of all funds, including cafeteria and student body funds
    c. Audit of all funds
    d. Average daily attendance, including Period 1 and Period 2 reports
    e. Other major annual reports, including:
        i. Those containing information relating to property, activities, financial condition, or transactions

**DISTRICT RECORDS (continued)**

ii. Those declared by Governing Board minutes to be permanent

2. Official Actions

   a. Minutes of the Board or Board committees, including the text of rules, regulations, policies, or resolutions not set forth verbatim in the minutes, but included by reference only

   b. The call for and the result of any elections called, conducted, or canvassed by the Board

   c. Records transmitted by another agency pertaining to its action with respect to district reorganization

3. Personnel Records

   Class 1 (Permanent) records include all detailed records relating to employment; assignment; amounts and dates of service rendered; termination or dismissal of an employee in any position; sick leave record; rate of compensation, salaries, or wages paid; and deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as a Class 1 (Permanent) record and the detailed records may then be classified as Class 3 (Disposable) records.

   Information of a derogatory nature as defined in Education Code 44031 shall be retained as a Class 1 (Permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

4. Student Records

   The records of enrollment and scholarship for each student required by 5 CCR 432 and all records pertaining to any accident or injury involving a minor for which a claim for damages had been filed as required by law shall be classified as Class 1 (Permanent) records. These include any related policy of liability insurance, except that these records cease to be Class 1 (Permanent) records one year after the claim has been settled or the statute of limitations has expired.

5. Property Records

   Class 1 (Permanent) records include all detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as a Class 1 (Permanent) record. The detailed records may then be classified as Class 3 (Disposable) records if the property ledger includes all fixed assets; an equipment inventory; and, for each piece of property, the date of acquisition, name of previous owner, a legal description, amount paid, and comparable data if the unit is disposed of.

## DISTRICT RECORDS (continued)

### Class 2 - Optional Records

Any records considered temporarily worth keeping, but which are not Class 1 records, may be classified as Class 2 (Optional) records and shall be retained until reclassified as Class 3 (Disposable) records. If, by agreement of the Board and Superintendent or designee, classification of the prior year records has not been made before January 1 as specified in 5 CCR 16022, all records of the prior year may be classified as Class 2 (Optional) records pending further review and classification within one year. (5 CCR 16024)

### Class 3 - Disposable Records

All records not classified as Class 1 (Permanent) or as Class 2 (Optional) records shall be classified as Class 3 (Disposable) records. These include, but are not limited to, detailed records basic to audit, including those relating to attendance, average daily attendance, or business or financial transactions; detailed records used in preparing another report; teachers' registers if all information required by 5 CCR 432 is retained in other records or if the General Records pages are removed from the register and classified as Class 1 (Permanent) records; and periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions. (5 CCR 16025)

All Class 3 (Disposable) records shall be destroyed during the third school year after the school year in which the records originated. In addition, Class 3 (Disposable) records shall not be destroyed until after the third school year following the completion of any legally required audit or the retention period required by any agency other than the State of California, whichever is later. A continuing record shall not be destroyed until the fourth year after it has been classified as a Class 3 (Disposable) record. (5 CCR 16026, 16027)

### Electronically Stored Information

All electronically stored information related to the conduct of district business, including information created, saved, sent, or received on a district employee's or Board member's personal account or device, shall be saved as an electronic file to a district-provided account or device and retained in accordance with the section "Classification of Records" above. Such information includes, but is not limited to, email, text messages, messages sent via apps, computer files, and other electronic communications related to district business. All records, including electronic documents, should be organized and filed for easy retrieval based on information contained in, and the purpose of, the record.

Employees shall be required to regularly purge their email accounts and district-issued computers, cell phones, and other communication devices of personal electronically stored information and other information unrelated to district business. The Superintendent or designee may check for appropriate use of any district-owned equipment at any time.

**DISTRICT RECORDS (continued)**

Any person to whom a district-owned computer, cell phone, or other electronic communication device is provided shall be notified about the district's electronic information management system and, as necessary, provided training on the effective use of the device.

Date Adopted: May 24, 2023

Date Revised: May 28, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4020**

## DRUG AND ALCOHOL-FREE WORKPLACE

The Governing Board believes that the maintenance of a drug- and alcohol-free workplace is essential to staff and student safety and to help ensure a productive and safe work and learning environment.
(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace. (GC 8355; 41 USC 8103)

These prohibitions apply before, during, and after school hours. A school district workplace is any place where school district work is performed, any school-owned or school-approved vehicle used in the course of employment; any off-school sites when accommodating a school-sponsored or school-approved activity or function where students are under district jurisdiction; or during any period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business.
(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, on duty means while an employee is on duty during both instructional and noninstructional time in the classroom or workplace, at extracurricular or cocurricular activities, or while transporting students or otherwise supervising them. Under the influence means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.
(cf. 4032 - Reasonable Accommodation)

The Superintendent or designee shall notify employees of the district's prohibition against drug use and the actions that will be taken for violation of such prohibitions. (GC 8355; 41 USC 8103)

An employee shall abide by the terms of this policy and shall notify the district, within five days, of his/her conviction for violation in the workplace of any criminal drug statute. (GC 8355; 41 USC 8103)

The Superintendent or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 701)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4020**

**DRUG AND ALCOHOL-FREE WORKPLACE (continued)**

In accordance with law and the district's collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state, or local public health or law enforcement agency or other appropriate agency.
(cf. 4112 - Appointment and Conditions of Employment)
(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4212 - Appointment and Conditions of Employment)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Drug-Free Awareness Program

The Superintendent or designee shall establish a drug-free awareness program to inform employees about: (GC 8355; 41 USC 8103)

1. The dangers of drug and alcohol abuse in the workplace

2. The district policy of maintaining drug- and alcohol-free workplaces

3. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs
(cf. 4159/4259/4359 - Employee Assistance Programs)

4. The penalties that may be imposed on employees for drug and alcohol abuse violations

*Legal Reference:*
*EDUCATION CODE*
*44011 Controlled substance offense*
*44425 Conviction of controlled substance offenses as grounds for revocation of credential*
*44836 Employment of certificated persons convicted of controlled substance offenses*
*44940 Compulsory leave of absence for certificated persons*
*44940.5 Procedures when employees are placed on compulsory leave of absence*
*45123 Employment after conviction of controlled substance offense*
*45304 Compulsory leave of absence for classified persons*
*GOVERNMENT CODE*
*8350-8357 Drug-free workplace*
*UNITED STATES CODE, TITLE 20*
*7111-7117 Safe and Drug Free Schools and Communities Act*
*UNITED STATES CODE, TITLE 21*
*812 Schedule of controlled substances*
*UNITED STATES CODE, TITLE 41*
*8101-8106 Drug-Free Workplace Act*
*CODE OF FEDERAL REGULATIONS, TITLE 21*
*1308.01-1308.49 Schedule of controlled substances*
*COURT DECISIONS*
*Cahoon v. Governing Board of Ventura USD, (2009) 171 Cal.App.4th 381*
*Ross v. RagingWire Telecommunications, Inc., (2008) 42 Cal.4th 920*
*Management Resources:*
*WEB SITES*
*California Department of Alcohol and Drug Programs: http://www.adp.ca.gov*
*California Department of Education: http://www.cde.ca.gov*
*U.S. Department of Labor: http://www.dol.gov*

(7/02 7/10) 11/10

Date Adopted: August 6, 2008
Date Revised: September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4030**

## NONDISCRIMINATION IN EMPLOYMENT

The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contacted with the district to provide services, as applicable.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race; color; ancestry; national origin; age; religious creed; pregnancy; childbirth; termination of pregnancy; or lactation, including related medical conditions and recovery; parental, family, or marital status; physical or mental disability; medical condition; genetic information; veteran or military status; sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity, gender expression; or association with a person or group with one or more of these actual or perceived characteristics.

Employers are also prohibited from discrimination against employees or job applicants on the basis of reproductive health decision-making, defined as a person's decision to use or access a particular drug, device, product, or medical service for reproductive health. (GC 12926, 12940)

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that such inquiry is necessary to comply with federal immigration law. (2 CCR 11028)

Unless otherwise provided for in law, the district may not discriminate against an employee, including an applicant for employment, in any term or condition of employment, or otherwise penalize a person, including termination based on the person's use of cannabis off the job and away from the workplace, or on a drug screening which finds that the person has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (GC 12954)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Hiring, compensation, terms, conditions, and other privileges of employment

2. Taking adverse employment actions, such as termination or denial of employment, promotion, job assignment, or training

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

1. Unwelcome conduct, whether verbal, physical, or visual, that is offensive and so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment

2. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

    a. Sex discrimination as specified in Board Policy and Administrative Regulation 4119.11 – Sex Discrimination and Sex-Based Harassment

    b. Religious creed discrimination based on

    c. Requiring medical or psychological examination of a job applicant or making an inquiry into whether a job applicant has mental or physical disability or medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

    d. Failure to make reasonable accommodation for the know physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee

    e. Requiring an applicant or employee to disclose information relating to the employee's reproductive health decision-making

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, reports an incident, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation or any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (GC 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign a release of the employee's claim or right to file a claim against the district or a nondisparagement agreement or other document that has the purpose or effect of preventing the employee from disclosing information about harassment, discrimination, or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful. (GC 12964.5)

## NONDISCRIMINATION IN EMPLOYMENT (continued)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation. However, complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator within one workday. All other employees shall report such incidents to their supervisor or designated district coordinator within one workday.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other prohibited conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The district shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the district is notified that a complaint has been filed with the California Civil Rights Department, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (GC 12946)

(12/15 5/16) 12/16
Date Adopted: October 6, 2004
Date Revised: June 20, 2012, September 7, 2016, February 1, 2017, September 4, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4030**

## NONDISCRIMINATION IN EMPLOYMENT

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or other person contracted to provide services to the district shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

However, complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12- Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to organize and manage the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

HR Director
1155 Mistletoe Lane, Redding, California 96002
(530) 224-4100, HR@eesd.net

### Measures to Prevent

### Discrimination

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Civil Rights Department (CRD) posters on the prohibition of workplace discrimination and harassment, including sex-based harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth (Government Code 12950; 2 CCR 11013, 11023, 11049)

1. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.8)
   a. Including them in each announcement, bulletin, or application form that is used in employee recruitment.
   b. Posting them in all district schools and offices, including staff lounges and other prominent locations

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

c. Posting them on the district's website and providing easy access to them through district supported social media, when available

2. Disseminate the district's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods: (2 CCR 11023)

a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return

b. Sending a copy via email with an acknowledgment return form

c. Posting a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies

d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session

e. Any other way that ensures employees receive and understand the policy

2. Post in a prominent location on the district's website and include in each handbook, catalog, announcement, bulletin, and application form for students, parents/guardians or other authorized legal representative, and employees, the Title IX notice of nondiscrimination which includes the following: (34 CFR 106.8)

a. The district does not discriminate on the basis of sex in any education program or activity that it operates

b. Inquiries about the application of Title IX may be referred to the district's Title IX Coordinator and/or the U.S. Department of Education Office for Civil Rights

c. The name or title, office and email address, and telephone number of the district's Title IX Coordinator

d. How to locate the district's nondiscrimination policy and the district's grievance procedures for Title IX complaints

e. How to report conduct that may constitute sex discrimination under Title IX

f. How to make a complaint of Title IX sex discrimination

If necessary due to the format or size of any publication specified above, the district may include only the statement that the district prohibits sex discrimination in any education program or activity that it operates, that individuals may report concerns or questions to the Title IX Coordinator, and the location of the complete notice on the district's website.

The district shall not distribute a publication stating that the district treats students, employees or applicants differently on the basis of sex, unless such treatment is permitted by Title IX.

3. Provide to employees a handbook which contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior

4. Provide training regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made, as well as any additional training as specified in 34 CFR 106.8 related to the prohibition of Title IX sex discrimination

   The district may also provide bystander intervention training to employees that includes information and practical guidance on how to recognize potentially problematic behaviors and which may motivate them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

5. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law and Board Policy 4111 - Recruitment and Selection

6. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce (2 CCR 11023)

**Complaint Procedure**

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant may inform a direct supervisor,

another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman.

The complainant's direct supervisor may be bypassed in filing a complaint when the supervisor is the subject of the complaint.

The complainant may first attempt to resolve the situation informally with the complainant's supervisor before filing a written complaint.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

   The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be disclosed as necessary to conduct an effective investigation.

   If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

   The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Remedial/Corrective Action: No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

   The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the Superintendent or designee.

   A summary of the findings shall be presented to the complainant and the person accused.

4. Appeal to the Governing Board: The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

**Other Remedies**

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either CRD or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. For filing a complaint with CRD alleging a violation of Government Code 12940-12952, within three years of the alleged discriminatory act(s), unless an exception exists

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

pursuant to Government Code 12960 (Government Code 12960)

2. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)

3. For filing a complaint with EEOC after first filing a complaint with CRD, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by CRD, whichever is earlier (42 USC 2000e-5)

An employee may also file a complaint with the Wage and Hour Division of the U.S. Department of Labor for an alleged violation of the PUMP Act and/or the Equal Employment Opportunity Commission for failure to provide reasonable accommodations pursuant to the Pregnant Workers Fairness Act. (29 USC 218c, 218d, 42 USC 2000gg-2)

Additionally, an employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)

(12/15) 12/16

Date Adopted: October 6, 2004

Date Revised: June 20, 2012, September 7, 2016, February 1, 2017, September 4, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4032**

## REASONABLE ACCOMMODATION

Except when undue hardship would result to the district, the Superintendent or designee shall provide reasonable accommodation:

1. In the job application process, to any qualified job applicant with a disability

2. To enable any qualified employee with a disability to perform the essential functions of the position he/she holds or desires to hold or to enjoy equal benefits or other terms, conditions, and privileges of employment as other similarly situated employees without disabilities

No employee or job applicant who requests an accommodation for his/her physical or mental disability shall be subjected to discrimination or to any punishment or sanction, regardless of whether the request for accommodation was granted. (GC 12940)

The district designates the position specified in AR 4030 - Nondiscrimination in Employment as the coordinator of its efforts to comply with the Americans with Disabilities Act (ADA) and to investigate any and all related complaints.
(cf. 4030 - Nondiscrimination in Employment)

Definitions

Disability, with respect to an individual, is defined as any of the following: (GC 12926; 29 CFR 1630.2)

1. A physical or mental impairment that limits one or more of the major life activities

2. A record of such an impairment

3. Being regarded as having such an impairment

Limits shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics or reasonable accommodations, unless the mitigating measure itself limits a major life activity. (GC 12926)

Essential functions are the fundamental job duties of the position the individual with a disability holds or desires. The term does not include the marginal functions of the position. (GC 12926; 29 CFR 1630.2)

Reasonable accommodation means: (GC 12926; 29 CFR 1630.2)

**REASONABLE ACCOMMODATION (continued)**

1. For a qualified job applicant with a disability, modifications or adjustments to the job application process that enable him/her to be considered for the position he/she desires

2. For a qualified employee with a disability, modifications or adjustments to the work environment, or to the manner or circumstances under which the position the employee holds or desires is customarily performed, that enable him/her to perform the essential functions of that position or to enjoy equal benefits and privileges of employment as are enjoyed by the district's other similarly situated employees without disabilities

Qualified individual with a disability means a job applicant or employee with a disability who: (29 CFR 1630.15, 1630.2)

1. Satisfies the requisite skill, experience, education, and other job-related requirements of the employment position he/she holds or desires

2. Can perform the essential functions of the position with or without reasonable accommodation

3. Would not pose a significant risk of substantial harm, which cannot be eliminated or reduced by reasonable accommodation, to himself/herself or others in the job he/she holds or desires

Undue hardship is a determination based on an individualized assessment of current circumstances that shows that the provision of a specific accommodation would cause significant difficulty or expense to the district. (29 CFR 1630.2)

Request for Reasonable Accommodation

When requesting reasonable accommodation, an employee or his/her representative shall inform the employee's supervisor that he/she needs a change at work for a reason related to a medical condition. The supervisor shall inform the coordinator of the employee's request as soon as practicable.

When requesting reasonable accommodation for the hiring process, a job applicant shall inform the coordinator that he/she will need a reasonable accommodation during the process.

When the disability or the need for accommodation is not obvious, the coordinator may ask the employee to supply reasonable documentation about his/her disability. In requesting this documentation, the coordinator shall specify the types of information that are being sought about the employee's condition, the employee's functional limitations, and the need for reasonable accommodation. The employee may be asked to sign a limited release allowing the coordinator to submit a list of specific questions to his/her health care or vocational professional.

**REASONABLE ACCOMMODATION (continued)**

If the documentation submitted by the employee does not indicate the existence of a qualifying disability or explain the need for reasonable accommodation, the coordinator shall request additional documentation that specifies the missing information. If the employee does not submit such additional documentation in a timely manner, the coordinator may require him/her to submit to an examination by a health care professional selected and paid for by the district.

The district may make a medical or psychological inquiry of a job applicant or require him/her to submit to a medical or psychological examination after he/she has been given a conditional offer of employment but before the commencement of his/her job duties, provided the inquiry or examination is job-related, consistent with business necessity, and required for all incoming employees in the same job classification. (GC 12940)

The coordinator shall not request any job applicant's or employee's genetic information except as authorized by law. (42 USC 2000ff-1, 42 USC 2000ff-5)
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

In accordance with law, the coordinator shall take steps to ensure the confidentiality of information related to medical conditions or history. As applicable, he/she shall notify the supervisor or manager of the qualified individual of any reasonable accommodation granted the individual and may notify first aid and safety personnel when the disability of the qualified individual may require emergency treatment. (42 USC 12112)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Granting Reasonable Accommodation

Upon receiving a request for reasonable accommodation from a qualified individual with a disability, the coordinator shall:

1. Determine the essential functions of the job involved

2. Engage in an informal, interactive process with the individual to review the request for accommodation, identify the precise limitations resulting from the disability, identify potential accommodations, and assess their effectiveness

3. Develop a plan for reasonable accommodation which will enable the individual to perform the essential functions of the job or gain equal access to a benefit or privilege of employment without imposing undue hardship on the district

**REASONABLE ACCOMMODATION (continued)**

A determination of undue hardship should be based on several factors, including: (29 CFR 1630.2)

a. The nature and net cost of the accommodation needed, taking into consideration the availability of tax credits and deductions and/or outside funding

b. The overall financial resources of the facility making the accommodation, the number of persons employed at this facility, and the effect on expenses and resources of the facility

c. The overall financial resources, number of employees, and the number, type, and location of facilities of the district

d. The type of operation of the district, including the composition, structure, and functions of the workforce and the geographic separateness and administrative or fiscal relationship of the facility making the accommodation to other district facilities

e. The impact of the accommodation on the operation of the facility, including the impact on the ability of other employees to perform their duties and the impact on the facility's ability to conduct business

The coordinator may confer with the site administrator, any medical advisor chosen by the district, and/or other district staff before making a final decision as to the accommodation.

Reasonable Accommodation Committee

The coordinator may appoint a committee to review or assist in the development of appropriate plans to reasonably accommodate qualified individuals who request modifications or adjustments in their work duties or environment because of known physical or mental disabilities.

Committee members shall be selected on the basis of their knowledge of the specific functions and duties required in the position, the physical work environment, available accommodations, and other relevant issues. The committee may include a district administrator, site administrator, medical advisor or rehabilitation specialist, and as necessary, a certificated and/or classified employee. Membership may change on a case-by-case basis.

At the coordinator's discretion, the employee or applicant requesting accommodation may participate in the committee's meetings. If the employee or applicant is excluded from the committee's meetings, the coordinator shall communicate with him/her so that he/she has the opportunity to interact and contribute to planning the reasonable accommodation.

**PERSONNEL** **AR 4032**

**REASONABLE ACCOMMODATION (continued)**

Appeal Process

Any qualified individual with a disability who is not satisfied with the decision of the coordinator may appeal in writing to the Superintendent or designee. This appeal shall be made within 10 working days of receiving the decision and shall include:

1. A clear, concise statement of the reasons for the appeal

2. A statement of the specific remedy sought

The Superintendent or designee shall consult with the coordinator and review the appeal, together with any available supporting documents. The Superintendent or designee shall give the individual his/her decision within 15 working days of receiving the appeal.

Any further appeal for reasonable accommodation shall be considered a complaint concerning discrimination in employment and may be taken to the Governing Board in accordance with the district's procedure for such complaints.

Legal Reference:
CIVIL CODE
51 Unruh Civil Rights Act
GOVERNMENT CODE
12900-12996 Fair Employment and Housing Act
UNITED STATES CODE, TITLE 29
701-794e Vocational Rehabilitation Act
UNITED STATES CODE, TITLE 42
2000ff-1-2000ff-11 Genetic Information Nondiscrimination Act of 2008
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act, especially:
35.107 Designation of employee
36.101-36.608 Nondiscrimination on the basis of disability by public facilities
CODE OF FEDERAL REGULATIONS, TITLE 29
1630.2 Definitions
COURT DECISIONS
A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455
Colmenares v. Braemar Country Club, Inc., (2003) 29 Cal.4th 1019
Chevron USA v. Echazabal, (2002) 536 U.S. 73, 122 S.Ct. 2045
US Airways, Inc. v. Barnett, (2002) 535 U.S. 391, 122 S.Ct. 1516

Management Resources:
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002
WEB SITES
Department of Fair Employment and Housing: http://www.dfeh.ca.gov
Equal Employment Opportunity Commission: http://www.eeoc.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

(3/03 7/10) 12/15

Board Adopted: August 5, 2020

**ENTERPRISE ELEMENTARY SCHOOL**
**DISTRICT BOARD POLICY**

**PERSONNEL** **BP 4033**

## LACTATION ACCOMMODATION

The Governing Board recognizes the immediate and long-term health benefits of breastfeeding and desires to provide a supportive environment for any district employee to express milk for an infant child upon returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee for seeking an accommodation to express breast milk for an infant child while at work.
(cf. 4030 - Nondiscrimination in Employment)

An employee shall notify the employee's supervisor or other appropriate personnel in advance of the intent to request an accommodation. The supervisor shall respond to the request and shall work with the employee to make arrangements. If needed, the supervisor shall address scheduling in order to ensure that the employee's essential job duties are covered during the break time.

Lactation accommodations shall be granted unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 207)

Before a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the Superintendent or designee. When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

The district shall include this policy in its employee handbook or in any set of policies that the district makes available to employees. In addition, the Superintendent or designee shall distribute the policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Break Time and Location Requirements

The district shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code 1030)

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

The employee shall be provided the use of a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the

**LACTATION ACCOMMODATION (CONTINUED)**

employee's work area. The room or location provided shall meet the following requirements: (Labor Code 1031; 29 USC 207)

1. Is shielded from view and free from intrusion while the employee is expressing milk
2. Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382
3. Contains a place to sit and a surface to place a breast pump and personal items
4. Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump
5. Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing milk in close proximity to the employee's workspace

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code 1031)

Dispute Resolution

An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)
(cf. 4144/4244/4344 - Complaints)

EDUCATION CODE
200-262.4 Educational equity; prohibition of discrimination on the basis of sex
CIVIL CODE
43.3 Right of mothers to breastfeed in any public or private location
GOVERNMENT CODE
12926 Definition of sex; breastfeeding
12940 Unlawful discriminatory employment practices
12945 Unlawful discrimination based on pregnancy, childbirth, or related medical conditions
LABOR CODE
1030-1034 Lactation accommodation
6382 Procedure for listing hazardous substances
CODE OF REGULATIONS, TITLE 2
11035-11051 Unlawful sex discrimination; pregnancy and related medical conditions
UNITED STATES CODE, TITLE 29
207 Fair Labor Standards Act; lactation accommodation

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
Rest Periods/Lactation Accommodation, Frequently Asked Questions
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS
Lactation Accommodation for Employers
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
Lactation Support Program Toolkit
FEDERAL REGISTER
Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079
OFFICE OF THE SURGEON GENERAL PUBLICATIONS
The Surgeon General's Call to Action to Support Breastfeeding, 2011
HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS
The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008

**PERSONNEL** **BP 4033**

## LACTATION ACCOMMODATION (CONTINUED)

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS
Frequently Asked Questions- Break Time for Nursing Mothers
Fact Sheet #73: Break Time for Nursing Mothers under the FLSA, rev. April 2018
WEB SITES
California Department of Industrial Relations, Division of Labor and Standards Enforcement: http://www.dir.ca.gov/dlse California Department of Public Health: http://www.cdph.ca.gov
California Women, Infants and Children Program: http://www.wicworks.ca.gov
Centers for Disease Control and Prevention: http://www.cdc.gov
Health Resources and Services Administration: http://www.hrsa.gov
Office of the Surgeon General: http://www.surgeongeneral.gov
U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers: http://www.dol.gov/whd/nursingmothers

(7/11) 12/19

Date Adopted: February 3, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4040**

## EMPLOYEE USE OF TECHNOLOGY

The Governing Board recognizes that technological resources enhance employee performance by offering effective tools to assist in providing a quality instructional program; facilitating communications with parents/guardians, students, and the community; supporting district and school operations; and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

(cf. 0440 - District Technology Plan)
(cf. 1100 - Communication with the Public)
(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4032 - Reasonable Accommodation)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Employees shall be responsible for the appropriate use of technology and shall use the district's technological resources primarily for purposes related to their employment.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6163.4 - Student Use of Technology)

Both employment and personal use is a privilege which may be revoked at any time. Employees shall be notified that computer files and communications over electronic networks, including email and voice mail, are not private. These technologies shall not be used to transmit confidential information about students, employees, or district operations without authority.

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points, routers, tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

The Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of district technology. Upon employment and annually thereafter, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

## EMPLOYEE USE OF TECHNOLOGY (continued)

Employees shall not use district technology to access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, Board policy, or administrative regulations.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (PC 313)

The Superintendent or designee, in accordance with the Children's Internet Protection Act (CIPA), shall ensure that all district computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 6777; 47 USC 254)

The Superintendent or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any equipment or other technological resources provided by or maintained by the district, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, even when provided their own password. To ensure proper use, the Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records maintained on any personal device/account or messages sent or received on a personal device/account that is being used to conduct district business may be subject to disclosure, pursuant to a subpoena or other lawful request.

Employees shall report any security problem or misuse of district technology to the Superintendent or designee.

Inappropriate use of district technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## EMPLOYEE USE OF TECHNOLOGY (continued)

*Legal Reference:*
*EDUCATION CODE*
*52295.10-52295.55 Implementation of Enhancing Education Through Technology grant program*
*GOVERNMENT CODE*
*3543.1 Rights of employee organizations*
*PENAL CODE*
*502 Computer crimes, remedies*
*632 Eavesdropping on or recording confidential communications*
*VEHICLE CODE*
*23123 Wireless telephones in vehicles*
*23123.5 Mobile communication devices; text messaging while driving*
*23125 Wireless telephones in school buses*
*UNITED STATES CODE, TITLE 20*
*6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:*
*6777 Internet safety*
*UNITED STATES CODE, TITLE 47*
*254 Universal service discounts (E-rate)*
*CODE OF FEDERAL REGULATIONS, TITLE 47*
*54.520 Internet safety policy and technology protection measures, E-rate discounts*
*COURT DECISIONS*
*City of Ontario v. Quon et al. (2010) 000 U.S. 08-1332*

*Management Resources:*
*WEB SITES*
*CSBA: http://www.csba.org*
*American Library Association: http://www.ala.org*
*California Department of Education: http://www.cde.ca.gov*
*Federal Communications Commission: http://www.fcc.gov*
*U.S. Department of Education: http://www.ed.gov*

(7/01 7/07) 7/15

Date Adopted: May 6, 1998
Date Revised: December 4, 2002, August 2, 2006, November 7, 2007, February 1, 2012, September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4070**

## LOWER DIVISION UNITS -- CERTIFICATED

The Enterprise Board of Education recognizes that certificated personnel may be able to provide a better instructional program for the benefit of the students in the school district when they obtain additional training and education and provides incentives to encourage teachers to continue such training and education. In order to be a fully qualified certificated employee, the individual must have completed a considerable amount of college work. Additional training normally would be expected to be upper division or graduate work.

The Enterprise Board of Education recognizes that many valuable training and educational experiences are available which are classified as lower division work. Under the terms of the employee agreement, such lower division work may be used in the place of upper division or graduate units if deemed acceptable by the Board of Education.

It is the intent of this policy to facilitate approval of appropriate requests to substitute lower division work in the classification of teacher process.

The Board of Education delegates the responsibility for the substitution of lower division units for credit on the certificated wage schedule to the superintendent with the following conditions to be applied:

1. The request for the substitution of lower division work must be made prior to the beginning of the course. This guideline will apply only to lower division coursework commencing after January 15, 1979.

2. The content of the coursework must be pertinent and relevant to the individual's assignment in the school district.

3. The total number of lower division units which can be substituted for credit on the wage schedule will be limited to fifteen (15) semester units. Any requests beyond 15 lower division semester units will be automatically referred to the Board of Education for their consideration.

Individuals who have their request denied by the superintendent may appeal directly to the Board of Education.

Date Adopted: January 4, 1979

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4080**

## ASSIGNMENT OF ADMINISTRATIVE PERSONNEL -- CERTIFICATED

Administrators in the Enterprise Elementary School District will be assigned by the superintendent to positions which are appropriate to the educational requirements of the Enterprise Elementary School District. Assignments will be based on priorities established by the superintendent which are deemed to be reasonable and having the best interests of the students as the primary consideration. In making assignments, the superintendent will be guided by the following considerations:

1. All assignments and transfers of administrators will be made with the best interests of the students in the schools concerned to be the primary consideration.

2. Assignments will be made without regard to sex, age, race, minority status, marital status, or any other unstated consideration.

3. The individual administrator's preference regarding this assignment will be an important consideration.

.4 The opportunity to broaden an administrator's experiences and challenges will be factors.

5. The ability to meet the needs of a particular school situation related to staff, community, and students will be considered.

6. The overall needs of the district related to students in all schools in the district will be considered.

7. Individual administrators will have an opportunity to voluntarily request changes in assignment, and these requests will be given careful consideration.

8. Insofar as possible, all assignments and transfers will be made in a timely manner, preferably before the end of the school year.

9. Any changes in assignment will not be punitive or disciplinary in nature, nor will they be made for arbitrary or capricious purposes.

10. All assignments will be based exclusively upon the legitimate education-related needs of the Enterprise Elementary School District.

11. The public will be informed regarding any changes in administrative assignments insofar as possible and appropriate in order to allow input.

Date Adopted: December 7, 1978

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4090**

## STUDENT TEACHER PROGRAM

The Enterprise Board of Education encourages a cooperative effort with teacher training institutions through student teacher programs. The Board of Education feels that it has a professional responsibility to assist in the training of future teachers, that positive benefits accrue to the district through the university influence, that the program brings additional personnel to assist students, that present employees obtain a broader perspective, and that through the program the district has an opportunity to view potential teachers on a first-hand basis.

It shall be the policy of the Enterprise School District to review the possibility of a cooperative effort between the university and the school district and to determine whether the district should enter into such an effort.

The Superintendent will bring the matter to this Board of Education along with a recommendation regarding participation. If a determination is made to participate in such a program, the following will prevail:

1. The final determination regarding the number of student teachers to be assigned, school locations, and specific assignments will remain with the Enterprise School District.
2. The district's cooperating teachers would participate only on a voluntary basis.
3. All classroom teachers, permitted by contract, will be eligible to participate in the program.
4. The Superintendent will inform all teachers in the district of the possibility of participating in the program and will invite an expression of interest.
5. Any allocation of funds accruing to the district as a result of participating in the student teacher program will be allocated to the teachers who supervised the student teacher.
6. The student teacher program is to make the minimal disruption to the ongoing instructional program and must be justified on the basis of enhancing the instructional program for the benefit of the students involved.
7. The district reserves the right to terminate the program at any time if it becomes disruptive to the administrative or educational processes of the district.

Date Adopted: March 1, 1979
Date Revised: February 4, 1988

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4090**

## STUDENT TEACHER PROGRAM

1. In the event that a student teacher is assigned to several teachers for supervision, the stipend will be divided according to the percentage of time assigned to each teacher.

2. No practice will be established in the Enterprise District which precludes any school from having an equal opportunity for the assignment of student teachers.

Date Adopted: March 1, 1979

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4100**

## CERTIFICATED PERSONNEL

The Governing Board believes that the district's certificated employees are essential for carrying out the district's educational goals and supporting the academic achievement, personal growth, and well-being of district students. Additionally, the Board acknowledges that certificated personnel benefit from professional development in fulfilling the expectations for their position and expects certificated employees to engage in ongoing professional growth to improve their skills and pursue excellence.

The Superintendent or designee shall fill each of its certificated positions with individuals who meet applicable credentialing requirements and district qualifications, consistent with position requirements.

The Superintendent or designee shall define and communicate the duties, responsibilities, and expectations for each certificated position.

Each certificated employee shall be responsible for completing assigned duties consistent with the applicable position and shall be evaluated in accordance with law, Board policies, administrative regulations, and collective bargaining agreements, as appropriate.

The Superintendent or designee may provide professional development opportunities to certificated staff for the purpose of continual improvement of knowledge and skills related to the employee's position.

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4111**

## RECRUITMENT AND SELECTION -- CERTIFICATED STAFF

Certificated employees shall be defined as those employees serving in positions requiring certification.

Members of the certificated staff must possess a valid California credential entitling them to provide the services for which they have been employed.

Selection of employees is the sole responsibility of the Board of Education, and selection shall be final. The superintendent will make recommendations for the board to act upon.

Certificated employees shall be selected on the basis of merit and shall be persons of good character, qualified for the position by training and experience, and shall meet the established standards for the position. The overall intent of the recruitment and selection of certificated staff members will be to obtain the most suitable candidates wherever they may be found. Certificated employees shall be employed in those positions for which they have the appropriate credentials or permits as deemed necessary by the State of California.

The Board of Education expresses its intent to select persons in accordance with the Civil Rights Act of 1964 and the Fair Employment and Housing Act of California. Personnel practices will be non-discriminatory, relevant to race, color, religious creed, national origin, ancestry, or sex.

Modern management techniques of participatory management, whereby employees are involved in decisions which affect them, will be used in the screening and selection of personnel.

*Legal Reference:*
*EDUCATION CODE*
*200-262.4 Prohibition of discrimination on the basis of sex*
*44066 Limitations on certification requirement*
*44259 Teaching credential; exception; designated subjects; minimum requirements*
*44735 Incentive grants for recruiting teachers for low-performing schools*
*44750-44754.5 Regional teacher recruitment centers*
*44830-44831 Employment of certificated persons*
*44858 Age or marital status in certificated positions*
*44859 Prohibition against certain rules & regulations re residency*
*45103-45138 Employment (classified employees)*
*49406 Examination for tuberculosis*
*52051 Academic Performance Index*
*GOVERNMENT CODE*
*12900-12996 Fair Employment and Housing Act, including:*
*2000d-2000d-7 Title VI, Civil Rights Act of 1964*
*2000e-2000e-17 Title VII, Civil Rights Act, 1964 as amended*
*2000h-2-2000h-6 Title IX, 1972 Education Act Amend.*
*12101-12213 Americans with Disabilities Act*
*CODE OF FEDERAL REGULATIONS, TITLE 28*
*35.101-35.190 Americans with Disabilities Act*
*Management Resources:*
*CSBA PUBLICATIONS*
*Maximizing School Board Leadership: Human Res, 1996*
*WEB SITES*
*Equal Employment Opportunity Commission: http://www.eeoc.gov*
*Department of Fair Employment and Housing: http://www.dfeh.ca.gov*
*CalTeach: http://www.calteach.org*
*Education Job Opportunities Information Network: http://www.edjoin.org*
*12940-12956 Discrimination prohibited; unlawful practices*
*UNITED STATES CODE, TITLE 8*
*1324a Unlawful employment of aliens*
*1324b Unfair immigration related practices*
*UNITED STATES CODE, TITLE 42*

Date Adopted: January 8, 1976
Date Revised: February 16, 1978, November 5, 2003

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4112**

## APPOINTMENT AND CONDITIONS OF EMPLOYMENT

Upon recommendation from the Superintendent or designee, the Governing Board shall approve the appointment of all certificated personnel. The position and the salary classification shall be reported to the Board at a regular meeting.

Individuals appointed to the certificated staff shall:

1. Possess the appropriate certification qualifications and register the certification document in accordance with law and Board policy (EC 44250-44279, 44330)

2. Demonstrate proficiency in basic skills as required by law and Board policy (EC 44252.5, 44830)

3. Submit to fingerprinting and criminal background clearance as required by law (EC 44830.1)

4. Not have been convicted of a violent or serious felony as defined in Penal Code 667.5 or 1192.7, unless the individual has received a certificate of rehabilitation and pardon (EC 44830.1)

5. Not have been convicted of any sex offense as defined in Education Code 44010 (EC 44836)

6. Not have been required to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16 (Penal Code 290.95)

7. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (EC 44837)

8. Not have been convicted of any controlled substance offense as defined in Education Code 44011 (EC 44836)

9. Submit to a physical examination, tuberculosis testing/risk assessment, and any required medical examinations or certifications in accordance with law and Board policy (EC 44839, 49406)

10. Submit to drug and alcohol testing in accordance with law, Board policy and collective bargaining agreement, as applicable

11. Furnish a statement of military service and, if any was rendered, a copy of the discharge or release from service or, if no such document is available, other suitable evidence of the termination of service (EC 44838)

12. File the oath or affirmation of allegiance required by Government Code 3100-3109

13. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy, or administrative regulation, including any reports of egregious misconduct in accordance with Board Policy 4111 - Recruitment and Selection or otherwise related to credentialing, assignment, and misconduct reporting

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4112.2**

## CERTIFICATION

The Superintendent or designee shall ensure that persons employed in positions requiring certification qualifications have the appropriate credential or permit from the Commission on Teacher Credentialing (CTC) authorizing their employment in such positions.
(cf. 4010 – Selection and Election of Certificated Staff [EESD, NCLB])
(cf. 4113 – Assignment [CSBA]

When fully credentialed individuals are not available, the district may employ persons with intern credentials, emergency permits, pre-intern certificates or credential waivers under the conditions and limitations provided in state and federal law.

As necessary, all teachers of core academic subjects teaching in programs supported by federal Title I funds shall meet the requirements of the No Child Left Behind Act. By the end of the 2005-06 school year, all teachers of core academic subjects shall meet the requirements of the No Child Left Behind Act. (20 USC 6319, 7801; 5 CCR 6100-6125)
(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act [CSBA])

National Board for Professional Teaching Standards Certification

The Board encourages district teachers to voluntarily seek, from the National Board for Professional Teaching Standards, additional certification which demonstrates advanced knowledge and teaching skills.

The Superintendent or designee shall ensure that district teachers and teachers working in charter schools about the program and how to acquire the necessary application and information materials. (Education Code 44395)

The Superintendent or designee may provide adequate release time and support to teachers participating in the program.

**PERSONNEL** **BP 4112.2**

## CERTIFICATION (continued)

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|---|---|
| *Legal Reference:*<br>*EDUCATION CODE*<br>*8360-8370 Qualifications of child care personnel*<br>*32340-32341 Unlawful issuance of a credential*<br>*42647 Drawing of warrants*<br>*44066 Limitations on certification requirements*<br>*44200-44405 Teacher credentialing, especially:*<br>*44225.6 CTC annual report on credentials, internships and emergency permits*<br>*44225.7 Priorities for recruitment when fully prepared teacher not available*<br>*44251 Period of credentials*<br>*44252 Standards and procedures for issuance; proficiency testing of basic skills*<br>*44252.5 State basic skills assessment required for certificated personnel*<br>*44259 Minimum requirements for teaching credential*<br>*44259.5 Standards for teachers of all students, including English language learners*<br>*44259.8 Alternative means of entering teaching profession*<br>*44270.3-44270.4 Out-of-state credentials, administrative services*<br>*44274-44274.5 Out-of-state credentials*<br>*44275.3 Employment of teachers with out-of-state credentials*<br>*44277 Requirements for maintaining valid credentials*<br>*44278 Credential appeal*<br>*44300-44301 Emergency permits*<br>*44302 CTC notification re district options when fully qualified teacher not available*<br>*44305-44308 Pre-internship teaching certificates*<br>*44325-44329 District interns*<br>*44330-44355 Certificates and credentials*<br>*44395-44399 National Board for Professional Teaching Standards*<br>*44464 Period of validity of internship credential*<br>*44468 Early completion of internship program*<br>*44500-44508 Peer Assistance and Review Program for Teachers*<br>*44662 Performance evaluation; Stull Act review*<br>*44735 Teaching as a priority block grant*<br>*44751 Recruitment centers*<br>*44830-44929 Employment of certificated persons; requirement of proficiency in basic skills* | *56060-56063 Substitute teachers in special education*<br>*90530 Recruitment Centers*<br>*CODE OF REGULATIONS, TITLE 5*<br>*6100-6125 Teacher qualifications, No Child Left Behind Act*<br>*80001-80674.6 Commission on Teacher Credentialing*<br>*UNITED STATES CODE, TITLE 20*<br>*6311 Parental notifications*<br>*6312 District Title I plan*<br>*6319 Highly qualified teachers*<br>*7801 Definitions, highly qualified teacher*<br>*CODE OF FEDERAL REGULATIONS, TITLE 34*<br>*200.55-200.57 Highly qualified teachers*<br>*200.61 Parent notification regarding teacher qualifications*<br>*COURT DECISIONS*<br>*Association of Mexican-American Educators et. al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534*<br><br>*Management Resources:*<br>*CSBA PUBLICATIONS*<br>*Maximizing School Board Leadership: Human Resources, 1996*<br>*CTC PUBLICATIONS*<br>*Standards of Quality and Effectiveness for Professional Teacher Induction Programs, March 2002*<br>*Standards of Quality and Effectiveness for Professional Teacher Preparation Programs, September 2001*<br>*California Standards for the Teaching Profession, July 1997*<br>*U.S. DEPARTMENT OF EDUCATION GUIDANCE*<br>*Improving Teacher Quality State Grants, December 19, 2002*<br>*CSBA ADVISORIES*<br>*Teacher Credentialing Commission Eliminates Emergency Permits, August 2003*<br>*WEB SITES*<br>*Commission on Teacher Credentialing: http://www.ctc.ca.gov*<br>*California Department of Education: http://www.cde.ca.gov*<br>*U.S. Department of Education: http://www.ed.gov*<br>*CSBA: http://www.csba.org* |

Date Adopted: December 3, 2003
Date Revised: January 5, 2005

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4112.2**

## CERTIFICATION

Verification of Credentials

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid certification document issued by the Commission on Teacher Credentialing (CTC). Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential. (EC 44857)
(cf. 4112.21 - Interns)
(cf. 4112.22 - Staff Teaching English Learners)
(cf. 4112.23 - Special Education Staff)
(cf. 4121 - Temporary/Substitute Personnel)
(cf. 5148 - Child Care and Development)
(cf. 6178 - Career Technical Education)
(cf. 6200 - Adult Education)

The Superintendent or designee shall verify that any person who is employed by the district while his/her application for certification is being processed by the CTC possesses a temporary certificate based on a demonstration of basic skills and completion of a criminal background check. (EC 44332, 44332.5, 44332.6)

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.
(cf. 3580 - District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Basic Skills Proficiency

The district shall not initially hire a person in a position requiring certification, on a permanent, temporary, or substitute basis, unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (EC 44252, 44252.6, 44830)

The district may hire a certificated employee who has not taken a test of basic skills proficiency if he/she has not yet been afforded the opportunity to take the test, provided that he/she takes the test at the earliest opportunity. The employee may remain employed by the district pending the receipt of his/her test results. (EC 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by the CTC unless he/she has completed a basic skills proficiency test in another state or is otherwise exempted by law. The district shall develop a basic skills proficiency test, which shall be at least equivalent to the district test required for high school graduation, for purposes of assessing out-of-state prepared teachers pending completion of the basic skills requirement. (EC 44252, 44274.2; 5 CCR 80071.4, 80413.3)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.2 - Certificate of Proficiency)
(cf. 6162.5 - High School Exit Examination)

**CERTIFICATION (continued)**

Any person holding or applying for a "designated subjects special subjects" credential which does not require possession of a bachelor's degree shall pass a district proficiency test in lieu of meeting the state basic skills proficiency requirement. (EC 44252, 44830)

The district may charge a fee to cover the costs of developing, administering, and grading the district proficiency test. (EC 44252, 44830)

Short-Term Staff Permit

The district may request that the CTC issue a short-term staff permit (STSP) to a qualified applicant whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher
2. Inability of the teacher of record to finish the school year due to approved leave or illness
3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved intern program
4. Inability of the applicant to enroll in an approved intern program due to timelines or lack of space in the program
5. Unavailability of a third-year extension of an intern program or the applicant's withdrawal from an intern program

The Superintendent or designee shall ensure that the applicant possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021 for the multiple subject, single subject, or education specialist STSP as appropriate. (5 CCR 80021)

When requesting issuance of an STSP, the Superintendent or designee shall submit to the CTC: (5 CCR 80021)

1. Verification that the district has conducted a local recruitment for the permit being requested
2. Verification that the district has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit

(cf. 4131 - Staff Development)
(cf. 4131.1 - Teacher Support and Guidance)

3. Written justification for the permit signed by the Superintendent or designee

**CERTIFICATION (continued)**

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

Provisional Internship Permit

Before requesting that the CTC issue a provisional internship permit (PIP), the district shall conduct a diligent search for a suitable credentialed teacher or intern, including, but not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. (5 CCR 80021.1)
(cf. 4111/4211/4311 - Recruitment and Selection)

Whenever a suitable credentialed teacher cannot be found after a diligent search, the Superintendent or designee may request that the CTC issue a PIP to an applicant who possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021.1 for the multiple subject, single subject, or education specialist PIP as appropriate. (5 CCR 80021.1)

When submitting the request for a PIP, the district shall provide verification of all of the following: (5 CCR 80021.1, 80026.5)

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.

2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

   The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience.

3. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.

4. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.

**CERTIFICATION (continued)**

5. A notice of intent to employ the applicant in the identified position has been made public.

   The district shall submit a copy of the agenda item presented at a public Governing Board meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that he/she will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

6. The candidate has been apprised of steps to earn a credential and enroll in an intern program.

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

Teaching Permit for Statutory Leave

Whenever there is an anticipated need for the district to temporarily fill the teaching assignment of a teacher of record who will be on sick leave, differential sick leave, industrial accident or illness leave, pregnancy disability leave, or family care and medical leave under the federal Family and Medical Leave Act or California Family Rights Act, the Superintendent or designee may request that the CTC issue a Teaching Permit for Statutory Leave (TPSL) to a qualified individual who will be serving as the interim teacher of record. Prior to submitting an application to the CTC, the district shall provide the applicant with 45 hours of preparation in the content areas listed in 5 CCR 80022. (5 CCR 80022)

(cf. 4161.1 - Personal Illness and Injury Leave)
(cf. 4161.11 - Industrial Accident/Illness Leave)
(cf. 4161.8 - Family Care and Medical Leave)

A request for the TPSL shall only be submitted if the district has made reasonable efforts to hire a substitute with a full teaching credential that matches the setting and/or subject for the statutory leave position and no such candidate is available. (5 CCR 80022)

The district shall verify to the CTC that it will provide the interim teacher: (5 CCR 80022)

1. An orientation to the assignment before or during the first month of service in the statutory leave assignment

2. An average of two hours of mentoring, support, and/or coaching per week through a system of support coordinated and/or provided by a mentor who possesses a valid life or clear credential that would also authorize service in the statutory leave assignment

**CERTIFICATION (continued)**

3. Lesson plans for the first four weeks of the assignment as well as continued assistance in the development of curriculum, lesson planning, and individualized education programs

The holder of the TPSL may serve as the interim teacher of record for up to the full length of the leave(s) during the school year. (5 CCR 80022)

The Superintendent or designee shall maintain documentation on the assignment in accordance with 5 CCR 80022. He/she shall annually report data on the use of the TPSL to the County Superintendent of Schools for assignment monitoring pursuant to Education Code 44258.9. (5 CCR 80022)
(cf. 4113 - Assignment)

The Superintendent or designee may annually request renewal of the TPSL, provided that no substitute with a full teaching credential is available for the assignment. The application for each reissuance shall include verification that the interim teacher has completed an additional 45 hours of preparation and the district is continuing to provide mentoring in accordance with items #2-3 above. (5 CCR 80022)

Long-Term Emergency Permits

As necessary, the Superintendent or designee may request that the CTC issue an emergency resource specialist permit, emergency teacher librarian services permit, emergency crosscultural language and academic development permit, or emergency bilingual authorization permit. (5 CCR 80024.3.1, 80024.6, 80024.7, 80024.8)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation which, to the extent reasonably feasible, shall occur before he/she begins a teaching assignment. The Superintendent or designee may vary the nature, content, and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher. The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective techniques of classroom instruction and classroom management at the assigned grade-level span. The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)
(cf. 4117.14/4317.14 - Postretirement Employment)

Substitute Teaching Permits

The district may employ a person whose credential or permit authorizes substitute teaching services, provided that:

**CERTIFICATION (continued)**

1. A person holding an emergency 30-day substitute teaching permit, STSP, PIP, TPSL, or any valid teaching or services credential that requires at least a bachelor's degree and completion of the California Basic Educational Skills Test, shall not serve as a substitute for more than 30 days for any one teacher during the school year. He/she shall not serve as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)

2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)

3. A person with an emergency substitute teaching permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)

4. A person with an emergency designated subjects 30-day substitute teaching permit for career technical education shall teach only in a program of technical, trade, or vocational education and shall not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Before employing a person with an emergency substitute permit pursuant to item #1 or 4 above, the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

(7/11 8/14) 7/17

Date Adopted: December 3, 2003
Date Revised: January 5, 2005, September 6, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4112.21**

## INTERNS

The Governing Board may employ interns to fulfill the district's need for additional instructional resources and to assist future teachers in meeting state credentialing requirements by linking teaching theory with practice.

The Superintendent or designee may enter into an agreement with an accredited college or university to provide supervised teaching experiences within the district as part of a teacher preparation program. He/she shall ensure that the district collaborates with the college or university in the selection, placement, support, and performance assessment of interns.
(cf. 4111/4211/4311 - Recruitment and Selection)

The Superintendent or designee shall ensure that interns employed by the district possess an appropriate internship credential from the Commission on Teacher Credentialing (CTC) and that their prior experiences and personal qualifications adequately prepare them for the responsibilities of the position.
(cf. 4112.2 - Certification)
(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)
(cf. 4112.23 - Special Education Staff)

An intern may be assigned to provide the same service as a holder of a regular credential in accordance with the authorizations specified on the internship credential. (Education Code 44454, 44325, 44326, 44830.3)
(cf. 4113 - Assignment)

To be assigned to teach core academic subjects, as defined in law, an intern must meet the definition of a "highly qualified" teacher adopted by the State Board of Education. (20 USC 6319, 7801; 5 CCR 6100-6112)
(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

Terms of employment for interns shall be consistent with law and the district's collective bargaining agreement, as applicable. Interns shall not displace certificated district employees.
(cf. 4116 - Probationary/Permanent Status)
(cf. 4141/4241 - Collective Bargaining Agreement)

Interns shall receive systematic supervision and guidance by qualified personnel in order to enhance their instructional skills and knowledge. The Superintendent or designee shall ensure that district staff serving as supervisors, mentor teachers, or other support providers receive appropriate training to fulfill their responsibilities and maintain frequent communication with the interns they are assigned to assist.
(cf. 4131 - Staff Development)
(cf. 4138 - Mentor Teachers)

**INTERNS (continued)**

Interns shall be provided with ongoing feedback regarding their performance and shall be formally evaluated at least once every year in accordance with Board policy and the district's collective bargaining agreement.
(cf. 4115 - Evaluation/Supervision)

When an intern has successfully completed the program, the Board may recommend to the CTC that the intern be awarded a preliminary or professional clear credential commensurate with his/her qualifications. (Education Code 44328, 44468, 44830.3)

The Board shall regularly evaluate the effectiveness of the program to determine whether changes are needed in the support and/or assignment of interns. The Board's evaluation shall be based on a report by the Superintendent or designee, including, but not limited to, data on student performance in classes taught by interns, feedback from interns and supervisors, and the number of interns who successfully complete the program and obtain teaching or education specialist credentials.
(cf. 0500 - Accountability)

**PERSONNEL** **BP 4112.21**

## INTERNS (continued)

*Legal Reference:*

EDUCATION CODE
300-340 English language education for immigrant children
44253.3-44253.4 Certificate to provide services to limited-English-proficient students
44253.10 Qualifications to provide specially designed academic instruction in English
44259 Minimum requirements for teaching credential
44314 Diversified or liberal arts program
44321 CTC approval of internship programs
44325-44329.5 District interns
44339-44341 Teacher fitness
44380-44387 Alternative certification program; increased funding for internship programs
44450-44468 Teacher Education Internship Act of 1967 (university interns)
44560-44562 Certificated Staff Mentoring Program
44830.3 Employing district interns
44885.5 District interns classified as probationary employees
52055.605 Identification of high priority schools, High Priority Schools Grant Program
CODE OF REGULATIONS, TITLE 5
6100-6126 No Child Left Behind teacher requirements
13000-13017 New Careers Program
80021.1 Provisional internship permit
80055 Internship credential
UNITED STATES CODE, TITLE 20
6319 Highly qualified teachers
7801 Definitions, highly qualified teacher

COMMISSION ON TEACHER CREDENTIALING CORRESPONDENCE
08-03 Preparation of Intern Credential Holders Prior to Service as Teacher of Record as an Intern, March 3, 2008
03-0028 Changes in District Intern Programs as a Result of Senate Bill 187, December 22, 2003
Implementation of SB 57, Early Completion Internship Option, March 10, 2003
COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS
Administrator's Assignment Manual, 2008
CTC Credential Handbook, revised 1997
California Standards for the Teaching Profession, 1997
Standards of Quality and Effectiveness for Teacher Preparation Programs for Preliminary Multiple and Single Subject Teaching Credentials (including internship programs), rev. April 2008
Standards of Quality and Effectiveness for Education Specialist Credential Programs (Including University Internship Options) and Clinical Rehabilitative Services Credential Programs, December 1996
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Improving Teacher Quality State Grants, rev. January 16, 2004
WEB SITES
CSBA: http://www.csba.org
Commission on Teacher Credentialing: http://www.ctc.ca.gov

Management Resources:

(11/06 7/07) 11/08

Date Adopted: November 4, 2009

**PERSONNEL** **AR 4112.21**

## INTERNS

University Internship Program

The Superintendent or designee shall cooperate with a college or university in the development, implementation, and coordination of the university internship program. (Education Code 44452, 44465, 44467)
(cf. 4112.2 - Certification)

The Superintendent or designee may enter into an agreement with a college or university for the employment of competent and qualified college or university staff members to supervise and guide interns as they pursue their district responsibilities. (Education Code 44461)

Salary payments for the supervision of interns may be made out of district funds and may be met by proportionately reducing the salaries of paid interns. In such cases, no more than eight interns may be supervised by one staff member and the district salary normally paid to interns may be reduced by no more than one-eighth to pay the supervisor's salary. The intern shall not be paid less than the minimum salary required by the state for a regularly certificated teacher. (Education Code 44462)
(cf. 4151/4251 - Employee Compensation)

Before an intern enrolls in any college or university program to renew his/her internship credential, the Superintendent or designee shall counsel the intern and plan a program for the first and subsequent renewals. (Education Code 44457)
(cf. 4115 - Evaluation/Supervision)
(cf. 4131 - Staff Development)

District Internship Program

The Superintendent or designee shall, in consultation with a college or university, develop and implement a professional development plan for district interns. This plan shall include, but not necessarily be limited to, the components described in Education Code 44830.3, including provisions for mandatory preservice training tailored to the grade level or class to be taught, additional instruction during the first year of service when required, and an annual evaluation of the district intern. (Education Code 44830.3)
(cf. 4115 - Evaluation/Supervision)
(cf. 4131 - Staff Development)

Each district intern shall be assisted and guided by either of the following: (Education Code 44326, 44830.3)

1. A certificated employee who possesses valid certification at the same level or the same type of credential as the district intern he/she serves, and who is selected

**INTERNS (continued)**

through a competitive process adopted by the Governing Board after consultation with the exclusive teacher representative unit
(cf. 4112.2 - Certification)
(cf. 4138 - Mentor Teachers)
(cf. 4140/4240 - Bargaining Units)

2. Personnel employed by a college or university to supervise student teachers

The Superintendent or designee shall ensure that appropriate records are maintained, showing the credit earned by each district intern. (Education Code 44327)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

When a district intern's credential expires, the Superintendent or designee may recommend to the Commission on Teacher Credentialing (CTC) that the intern's credential be extended for one year. (Education Code 44325)

Early Completion Option

An intern may choose an early completion option leading to a five-year preliminary credential by completing the following requirements: (Education Code 44468)

1. Passing the CTC-approved assessment of knowledge of teaching foundations
2. Passing the CTC-approved Teaching Performance Assessment (TPA)
   a. The intern shall first pass the assessment of teaching foundations described in item #1 before qualifying to take the TPA.
   b. The intern may take the TPA only one time as part of the early completion option. An intern who is not successful on the TPA may complete his/her internship program and his/her scores shall be used to provide an individualized professional development plan that emphasizes preparation in areas where additional growth is warranted and waiving preparation in areas where the intern has demonstrated competence. The intern shall be required to retake and pass the TPA at the end of the internship in order to be considered for recommendation to the CTC.
3. For interns pursuing a preliminary multiple subjects credential, passing the reading instruction competence assessment described in Education Code 44283
4. Meeting the requirements for teacher fitness as set forth in Education Code 44339, 44340, and 44341

(11/06 11/07) 11/08

Date Adopted: November 4, 2009

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT**

**PERSONNEL** **E#1 4112.5**

**CRIMINAL RECORD CHECK**

## SAMPLE EMPLOYEE STATEMENT FORM
## CONDITIONS FOR RELEASE OF CRIMINAL OFFENDER RECORD INFORMATION

To uphold the standards of security specified in the Federal Bureau of Investigation's, "CJIS Security Policy," for all personnel accessing or viewing criminal offender record information (CORI), controlled by state and federal statutes, please review and acknowledge the terms below. Misuse of CORI may violate constitutional rights of privacy, result in the suspension or loss of your employment, and prosecution for state and federal crimes. **Once acknowledged, this form shall be kept on file by the Custodian of Records and not returned to the California Department of Justice (DOJ).**

_____ I recognize that CORI and related data are sensitive and have the potential for great harm if misused

_____ I acknowledge I will complete the basic security awareness training required within six months of initial assignment and biennially thereafter

_____ I acknowledge that access to CORI and related data is limited to the purpose(s) for which my district is authorized to receive it for (Penal Code 11105; 28 CFR 50.12)

_____ I understand that in order to be given direct access to the web-based portal, Applicant Agency Justice Connection (AAJC), I must become a confirmed Custodian of Records with the DOJ

If confirmed, my login information to the portal shall not be shared with anyone

_____ I understand that accessing the AAJC for an appropriate purpose and then disseminating the information received for another purpose constitutes misuse (Penal Code 11142, 11143)

_____ I understand that misuse of the AAJC may include but not be limited to: accessing it without authorization; exceeding authorized access; accessing it for an improper purpose; using or disseminating information without authorization, and may subject me to administrative and criminal penalties

_____ I understand I am required to report any security events and weaknesses as quickly as possible to the district's Custodian of Records

_____ I further understand that the occurrence of misuse does not depend upon whether I receive compensation for the unauthorized activity

I hereby acknowledge and understand the terms listed above and agree to uphold the standards of security when accessing or viewing criminal offender record information.

Signature:_____ Date:_____

Printed Name: _____

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4112.6**

## PERSONNEL FILES

The Superintendent or designee shall maintain personnel files for all current employees at the district's central office.

The Superintendent or designee shall determine the types of information to be included in personnel files, including, but not limited to, records required by law, and shall process all material to be placed in such files.

### Placement of Material in Personnel Files

When an employee is asked to sign any material that is to be placed in the employee's file, the employee shall be informed that the signature only signifies that the employee has read the material and does not necessarily indicate that the employee agrees with its contents.

Any request by an employee to include materials in the employee's personnel file shall be considered by the Superintendent or designee.

An employee may initiate a written reaction or response to the employee's performance evaluation. The response shall be permanently attached to the evaluation and placed in the employee's personnel file. (EC 44663)

### Derogatory Information

Information of a derogatory nature shall not be entered into an employee's personnel file unless and until the employee is given notice and an opportunity to review and comment on that information. Such a review shall take place during normal business hours. The employee shall be released from duty for this purpose without a salary reduction. The employee may enter the employee's own comments and have them attached to the derogatory statement. (EC 44031)

### Persons with Authorized Access

The Superintendent or designee shall maintain the confidentiality of any personnel records which, if inappropriately disclosed, would constitute an unwarranted invasion of the employee's privacy.

Access to an employee's personnel file shall be granted only to the employee or former employee, persons authorized by the employee, district personnel, and others with a valid "right to know" or "need to know" who are authorized access by the Superintendent or designee.

An individual Governing Board member shall not access or be given access to an employee's or former employee's personnel files, but the Board may request pertinent information from an employee's or former employee's file in the case of a personnel action.

**PERSONNEL FILES (continued)**

Additionally, an employee or former employee's personnel files shall only be disclosed to an officer or employee of an agency conducting immigration enforcement in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

Any authorized reviewer shall maintain strict confidence of the contents of a personnel file. Personnel files shall be reviewed and replaced within the shortest time possible. In no case shall a personnel file be left unattended or left unsecured overnight.

**File Review by Employee**

Any employee or former employee wishing to inspect the employee's or former employee's personnel record shall contact the Superintendent or designee.

Unless there is an exception as specified below, all personnel records related to the employee's or former employee's performance, including education or training records, or to any grievance concerning the employee or former employee shall be made available for inspection by the employee or former employee. Noncredentialed employees shall have access to any numerical scores obtained as a result of written examinations. (EC 44031; Labor Code 1198.5)

The Superintendent or designee shall not be required to make available to the employee or former employee: (EC 44031; Labor Code 1198.5)

1. Records related to the investigation of a possible criminal offense

2. Letters of reference

3. Ratings, reports, or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination

Personnel records related to the employee's, or former employee's, job performance or to any grievance concerning the employee shall be made available to the employee for inspection at reasonable intervals and at reasonable times, but not later than 30 calendar days from the date the district receives a written request, unless the current or former employee, or the employee's representative, and the Superintendent or designee agree in writing to a date beyond 30 calendar days to inspect the records, and the agreed-upon date does not exceed 35 calendar days from the district's receipt of the written request. (EC 44031; Labor Code 1198.5)

For current employees, the Superintendent or designee shall make the records available for inspection at the place where the employee reports to work, or at another mutually agreeable

**PERSONNEL FILES (continued)**

location. If the Superintendent or designee requires the employee to inspect the records at a location other than the place where the employee reports to work, there shall be no loss of compensation to the employee. The Superintendent or designee shall not be required to make such records available at a time when the employee is required to render services to the district. (EC 44031; Labor Code 1198.5)

For former employees, the Superintendent or designee shall make the records available for inspection at the location where the district stores the records unless a different location is mutually agreed to. If a former employee was terminated for violation of law, or an employment-related policy, involving harassment or workplace violence, the Superintendent or designee may make the personnel records available at a location other than the workplace that is within a reasonable driving distance of the former employee's residence, or provide a copy of the personnel records by mail. (Labor Code 1198.5)

If the employee has, in writing, authorized a representative, the employee may be accompanied by that representative while reviewing the employee's personnel records. The Superintendent or designee may take reasonable steps to verify the identity of a current or former employee or the employee's authorized representative. (Labor Code 1198.5)

Inspection shall take place in the presence of the Superintendent or designee. The Superintendent or designee shall keep a record of the date and time the file was reviewed and the name and title of the person(s) present during the review.

In no instance shall any material be removed from the records.

Upon a written request from a current or former employee, or their representative, the Superintendent or designee shall provide a copy of the personnel records, at a charge not to exceed the actual cost of reproduction, no later than 30 calendar days from the date the district receives the request. The deadline to provide a copy of the records may be extended to a date beyond 30 calendar days if the current or former employee, or their representative, and the Superintendent or designee agree in writing, as long as the agreed-upon date does not exceed 35 calendar days from the receipt of the written request. The Superintendent or designee shall provide any copy of a personnel file at the place described above for inspection. A former employee may receive a copy by mail if the employee reimburses the district for actual postal expenses. (Labor Code 1198.5)

**Record Retention**

Personnel records for current and former employees shall be retained in accordance with 5 CCR 16023.

**PERSONNEL FILES (continued)**

### Egregious Misconduct

The Superintendent or designee shall not expunge from an employee's personnel file, nor enter into an agreement that would authorize expunging from an employee's personnel file, credible complaints of, substantiated investigations into, or discipline for egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Board, an arbiter, personnel commission, Commission on Professional Competence, or administrative law judge, the employee prevailed, the allegations were determined to be false, not credible, or unsubstantiated, or a determination was made that the discipline was not warranted. (EC 44939.5)

Upon receipt of an inquiry from another district, county office of education, charter school, state special school or diagnostic center operated by the California Department of Education, or private school, in regard to an applicant for employment to that entity, the Superintendent or designee shall disclose to the inquiring entity all relevant information related to any report of egregious misconduct to the Commission on Teacher Credentialing within its possession in regard to such applicant, including information in the employee's or former employee's personnel file, as specified in Education Code 44051 and 44939.5.

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4112.8**

## EMPLOYMENT OF RELATIVES

The Governing Board desires to maximize staff and community confidence in district hiring, promotion, and other employment decisions by promoting practices that are free of conflicts of interest or the appearance of impropriety.
(cf. 4030 – Nondiscrimination in Employment)
(cf. 9270 – Conflict of Interest)

The Board prohibits the appointment of any person to a position for which his/her relative maintains management, supervisory, evaluation, or promotion responsibilities and prohibits an employee from participating in any decision that singularly applies to any of his/her relatives.
(cf. 4111/4211/4311 – Recruitment and Selection)
(cf. 4115/4215/4315 – Evaluation/Supervision)

For purposes of this policy, relative includes the individual's spouse, domestic partner, parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse of domestic partner.

In addition, the Superintendent or designee may determine, on a case-by-case basis, whether to appoint a person to a position in the same department or facility as an employee with whom he/she maintains a personal relationship when that relationship has the potential to create (1) an adverse impact on supervision, safety, security, or morale of other district employees or (2) a conflict of interest for the individuals involved which is greater because of their relationship than it would be for another person.
(cf. 4031 – Complaints Concerning Discrimination in Employment)

An employee shall notify his/her supervisor within 30 days of any change in his/her circumstances that may constitute a violation of this policy.

*Legal Reference:*
*Education Code*
*35107 School District Employees*
*Family Code*
*297-297.5 Rights, protections, benefits under the law; registered domestic partners*
*Government Code*
*1090-1098 Prohibitions applicable to specified officers*
*12940 Unlawful employment practices*
*Code of Regulations, Title 2*
*7292.0-7292.6 Marital status discrimination, especially: 7292.5 Employee selection*

*Management Resources:*
*Websites*
*California Department of Fair Employment and Housing:*
*http://www.dfeh.ca.gov*
*Institute for Local Government: http://www.cacities.org/index.jsp?zone=ilsg*

Board Adopted: August 4, 1983
Date Revised: October 6, 1993, November 2, 2005, September 3, 2008, June 11, 2009

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4112.9**

## EMPLOYEE NOTIFICATION

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

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

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT**

**PERSONNEL** **E(1) 4112.9**

## EMPLOYEE NOTIFICATION

This exhibit is a non-exhaustive list of notices that the law explicitly requires be provided to employees. Other notices may exist and be identified in the future.

### I. To All Employees

When/Whom to Notify: At the beginning of school year or upon employment
Education or Other Legal Code: Education Code 231.5, Government Code 12950
Board Policy/Administrative Regulation #: AR 4119.11
Subject: The district's policy on sexual harassment, legal remedies, complaints

When/Whom to Notify: Annually and 72 hours before pesticide application
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: AR 3514.2
Subject: Use of pesticide products, active ingredients, internet address to access information on pesticides

When/Whom to Notify: When the school confirms the presence of immigration enforcement on the school site
Education or Other Legal Code: Education Code 32282
Board Policy/Administrative Regulation #: AR 0450, AR 1445
Subject: Presence of immigration enforcement on school site

When/Whom to Notify: Prior to implementing alternative schedule
Education or Other Legal Code: Education Code 46162
Board Policy/Administrative Regulation #: BP 6112
Subject: Public hearing on alternative schedule in secondary grades

When/Whom to Notify: Annually
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer emergency epinephrine delivery systems

When/Whom to Notify: At least once per school year
Education or Other Legal Code: Education Code 49414.7
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer stock albuterol inhalers

When/Whom to Notify: At least once per school year
Education or Other Legal Code: Education Code 49468.2

**EMPLOYEE NOTIFICATION (continued)**

Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer anti-seizure medication

When/Whom to Notify: At least once per year
Education or Other Legal Code: Education Code 49414.3
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer opioid antagonist

When to Notify: When a parent/guardian requests for district designation of volunteers is received for training on emergency use of anti-seizure medication for a student diagnosed with seizures
Education or Other Legal Code: Education Code 49468.2
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained in recognition and response to seizures, including administration of emergency anti-seizure medication, description of training, right to rescind offer to volunteer, prohibition against retaliation.

When/Whom to Notify: Upon employment
Education or Other Legal Code: Government Code 21029
Board Policy/Administrative Regulation #: None
Subject: Right to purchase PERS service credit for military service performed prior to public employment

When/Whom to Notify: Upon placement of automated external defibrillator (AED) in school, annually thereafter
Education or Other Legal Code: Health and Safety Code 1797.196
Board Policy/Administrative Regulation #: AR 5141
Subject: Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan

When/Whom to Notify: If the district receives Tobacco-Use Prevention Education funds
Education or Other Legal Code: Health and Safety Code 104420
Board Policy/Administrative Regulation #: AR 3513.3
Subject: District's tobacco-free schools policy and enforcement procedures

When/Whom to Notify: To new employees upon hire, all employees annually, and upon request, in districts with 25 or more employees
Education or Other Legal Code: Government Code 12945.8
Board Policy/Administrative Regulation #: AR 4161.2
Subject: Rights pursuant to Government Code 12945.8 pertaining to leaves and accommodations for

**EMPLOYEE NOTIFICATION (continued)**

victims of a qualifying act of violence

When/Whom to Notify: With each paycheck
Education or Other Legal Code: Labor Code 246
Board Policy/Administrative Regulation #: AR 4161.1
Subject: Amount of sick leave available

When/Whom to Notify: Upon hire, in employee handbook, and upon request for parental leave
Education or Other Legal Code: Labor Code 1034
Board Policy/Administrative Regulation #: BP 4033
Subject: The district's policy on lactation accommodation

When/Whom to Notify: To employees participating in a flexible spending account
Education or Other Legal Code: Labor Code 2810.7
Board Policy/Administrative Regulation #: None
Subject: Deadline to withdraw funds from account before the end of the plan year

When/Whom to Notify: Prior to beginning employment or volunteering
Education or Other Legal Code: Penal Code 11165.7, 11166.5
Board Policy/Administrative Regulation #: AR 5141.4
Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

When/Whom to Notify: To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when the Superintendent or designee believes the employee needs the information for the protection of self or others when working with the student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses
Education or Other Legal Code: Welfare and Institutions Code 827
Board Policy/Administrative Regulation #: AR 4158
Subject: Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff

When/Whom to Notify: To all employees and job applicants
Education or Other Legal Code: 2 CCR 11023; 34 CFR 104.8, 106.8,
Board Policy/Administrative Regulation #: BP 0410, AR 4030
Subject: District's policy on nondiscrimination and related complaint procedures

**EMPLOYEE NOTIFICATION (continued)**

When/Whom to Notify: To all employees via employee handbook, or to each new employee
Education or Other Legal Code: 2 CCR 11091, 11095; 29 CFR 825.300
Board Policy/Administrative Regulation #: AR 4161.8
Subject: Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible

When/Whom to Notify: Post and keep posted on premises or via electronic posting, in conspicuous places where employees are employed
Education or Other Legal Code: 2 CCR 11095
Board Policy/Administrative Regulation #: AR 4161.8
Subject: A notice explaining the CFRA's provisions and procedures for filing complaints of violations of the Act with the Civil Rights Department.

When/Whom to Notify: To all employees
Education or Other Legal Code: 8 CCR 3203
Board Policy/Administrative Regulation #: AR 4157
Subject: The right and procedure to access the injury and illness prevention program

When/Whom to Notify: To all employees
Education or Other Legal Code: 34 CFR 106.8
Board Policy/Administrative Regulation #: AR 4119.11/
Subject: Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights

## II. To Certificated Employees

When/Whom to Notify: Prominently display in location frequented by certificated employees who serve students in any of grades 7-12
Education or Other Legal Code: Education Code 234.1
Board Policy/Administrative Regulation #: BP 5145.3
Subject: Information on existing school site and community resources related to the support of students who may face bias or bullying

When/Whom to Notify: To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire
Education or Other Legal Code: Education Code 22455.5
Board Policy/Administrative Regulation #: AR 4121
Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Before the end of the school year to temporary employee who served 75

**EMPLOYEE NOTIFICATION (continued)**

percent of school year but will be released
Education or Other Legal Code: Education Code 44954
Board Policy/Administrative Regulation #: BP 4121
Subject: District's decision not to reelect employee for following school year

When/Whom to Notify: To teacher, when a student engages in or is reasonably suspected of specified acts
Education or Other Legal Code: Education Code 49079
Board Policy/Administrative Regulation #: AR 4158
Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To teacher of a student who is suspended or expelled, when Superintendent or designee receives transfer student's record regarding acts that resulted in suspension or expulsion
Education or Other Legal Code: Education Code 48201
Board Policy/Administrative Regulation #: AR 4158
Subject: Student has committed specified act that constitutes ground for suspension or expulsion

### III. To Classified Employees

When/Whom to Notify: When a classified employee is subject to disciplinary action for cause, in a nonmerit district
Education or Other Legal Code: Education Code 45113
Board Policy/Administrative Regulation #: AR 4218
Subject: Notice of charges, right to hearing, timeline for requesting hearing

When/Whom to Notify: To school bus drivers and school activity bus drivers prior to expiration of specified documents
Education or Other Legal Code: 13 CCR 1234
Board Policy/Administrative Regulation #: AR 3542
Subject: Expiration date of driver's license, driver's certificate and medical certificate; need to renew

When/Whom to Notify: To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter
Education or Other Legal Code: 13 CCR 2480
Board Policy/Administrative Regulation #: AR 3542
Subject: Limitations on vehicle idling; consequences of not complying

**EMPLOYEE NOTIFICATION (continued)**

### IV. To Individual Employees Under Special Circumstances

When/Whom to Notify: In the event of a breach of security of district records to affected employees
Education or Other Legal Code: Civil Code 1798.29
Board Policy/Administrative Regulation #: BP 3580
Subject: Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies

When/Whom to Notify: To employees who volunteer to administer emergency epinephrine delivery system
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Defense and indemnification from civil liability by the district

When/Whom to Notify: New employees upon hire, to all employees annually, at any time upon request, and any time an employee informs an employer that the employee or the employee's family member is a victim
Education or Other Legal Code: Government Code 12945.8
Board Policy/Administrative Regulation #: AR 4158
Subject: Accommodations and leave for victims of a qualifying act of violence
When/Whom to Notify: To employee returning from military leave of absence, within 30 days of return
Education or Other Legal Code: Government Code 20997
Board Policy/Administrative Regulation #: AR 4161.5
Subject: Right to receive PERS service credit for military service; application form

When/Whom to Notify: 24 hours before Board meets in closed session to hear complaints or charges against employee
Education or Other Legal Code: Government Code 54957
Board Policy/Administrative Regulation #: BB 9321
Subject: Employee's right to have complaints/charges heard in open session

When/Whom to Notify: To any employee with exposure to blood or potentially infectious materials, upon initial employment and at least annually thereafter
Education or Other Legal Code: 8 CCR 3204
Board Policy/Administrative Regulation #: AR 4119.42
Subject: The existence, location, and availability of exposure and medical records; person responsible

**EMPLOYEE NOTIFICATION (continued)**

for maintaining and providing access to records; right to access records

When/Whom to Notify: To employee eligible for military leave
Education or Other Legal Code: 38 USC 4334
Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5
Subject: Notice of rights, benefits, and obligations under military leave

When/Whom to Notify: Within five business days of employee's request for family care and medical leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave
Education or Other Legal Code: 29 CFR 825.300; 2 CCR 11049, 11091
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

When/Whom to Notify: Whenever notice of eligibility for FMLA is provided to employee
Education or Other Legal Code: 29 CFR 825.300
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Rights and responsibilities regarding use of FMLA; consequences of failure to meet obligations

When/Whom to Notify: To all employees working with families experiencing homelessness
Education or Other Legal Code: Education Code 48851.3, 42 USC 11432
Board Policy/Administrative Regulation #: AR 6173
Subject: Duties of district liaison for homeless students and availability of training and services

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4113**

## ASSIGNMENT

Procedures for Verifying Subject Matter Knowledge

With the involvement of appropriate subject matter specialists, the Superintendent or designee shall develop and employ procedures for verifying the subject matter knowledge of teachers assigned to teach in departmentalized classes outside their credential authorization pursuant to Education Code 44258.3. For the purposes of these procedures, subject matter specialists are curriculum specialists, resource teachers, classroom teachers certified to teach a subject, staff to regional subject matter projects or curriculum institutes, or college faculty. (EC 44258.3)
(cf. 4112.2 - Certification)

Procedures to be used for this purpose shall specify: (EC 44258.3)

1. One or more of the following ways in which subject matter competence shall be assessed:
    a. Observation by subject matter specialists
    b. Oral interviews
    c. Demonstration lessons
    d. Presentation of curricular portfolios
    e. Written examinations
2. Specific criteria and standards for verifying subject matter knowledge by any of the above methods. These criteria shall include, but need not be limited to, evidence of the individual's knowledge of the subject matter to be taught, including demonstrated knowledge of the curriculum framework for the subject and the specific content of the district's course of study for the subject at the grade level to be taught.

Whenever a teacher is assigned to teach departmentalized classes pursuant to Education Code 44258.3, the Superintendent or designee shall notify the exclusive representative of the district's certificated employees. (EC 44258.3)

Verification of the subject matter competence of teachers assigned to core academic subjects in Title I and non-Title I programs shall be based on procedures and criteria specified in 5 CCR 6100-6115.
(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

Assignment to Elective Courses Outside Credential Authorization

A full-time teacher with special skills and preparation outside his/her credential authorization may, with his/her consent and the prior approval of a district committee on assignments, be assigned to teach an elective course in the area of the special skills or preparation, excluding a course in English, mathematics, science, or social studies. (EC 44258.7)

**ASSIGNMENT (continued)**

The Superintendent or designee shall establish a committee on assignments, consisting of four members, two appointed by the Association and two appointed by the Superintendent or designee, to approve such assignments. (EC 44258.7)

The term of office shall be two years, except that one administrator and one teacher appointed at the inception shall serve terms of only one year.

Criteria to be considered for determining teacher's qualifications for assignment shall include one or more of the following:

1. College course work and/or certificate of competence;
2. Relevant practical experience;
3. Successful relevant volunteer experience, or successful prior experience;
4. Relevant professional growth activities/experience and plan;
5. Successful prior teaching experience;
6. Observation over time of the teacher in the subject in the grade level taught;
7. Results of oral interviews;
8. Successful completion of related professional development;
9. Review of portfolio and instructional plan containing evidence of demonstrated knowledge; and
10. Such other criteria as deemed appropriate by the committee.

The committee shall make its decision based on a majority vote and shall forward the decision in writing to the superintendent or designee.

The assignment committee shall approve assignments prior to the commencement of said assignments. Upon arrival of assignment, the Committee on Assignments (with review and approval of the superintendent or designee) makes a final disposition on whether the teacher should be assigned under Government Code sections 44258.3 or 44258.7.

**ASSIGNMENT** (continued)

Assignments approved by the committee shall be voluntary and for a maximum of one school year, but may be extended by action of the committee upon application by the principal and teacher. (EC 44258.7)

(3/01 3/04) 3/09

Board Adopted: February 2, 2005
Date Revised: March 2, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4113.4**

## TEMPORARY MODIFIED AND ALTERNATIVE DUTIES

Enterprise Elementary School District is committed to returning injured employees to modified or alternative work as soon after an injury as possible. When reasonable accommodation can be met, early return to work will be facilitated by temporarily modifying the employee's job or temporarily providing the employee with alternate duties. Temporary assignments and/or temporary modified duties should be for no longer than 60 working days. Modified duty and/or an alternative position should be evaluated at least every 14 days. This allows the employee and the District to be regularly reviewing the current restrictions. The requirements of the District, the employee's medical condition, and the physical limitations or restrictions described by the attending physician will be considered as a priority when identifying the modified/alternative position.

This program is intended to provide our employees with an opportunity to continue as valuable members of our team while recovering from a work related injury. We want to minimize any adverse effects of an ongoing disability on our employees. The temporary assignment and/or temporary modified duties are at the discretion of the District and subject to available appropriate work. This program is intended to promote speedy recoveries, while keeping the employees' work patterns and income consistent. At the same time, we benefit from having our employees providing a service and contributing to the overall mission of the District.

This program applies to ALL employees of Enterprise Elementary School District.

District Responsibilities

All injuries and the duration of the disability will be handled by the Assistant Director of Human Resources and/or the designee (hereinafter referred to as 'Contact Person').

The Contact Person will act as a liaison between the District, the injured worker, the attending physician and Shasta-Trinity Schools Insurance Group.

The Contact Person will make sure the appropriate paperwork and forms have been properly handled and submitted to the appropriate parties.

The Contact Person will monitor the modified/alternative work and gather any additional information that may be needed to properly handle the return to work efforts.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4113.4**

## TEMPORARY MODIFIED AND ALTERNATIVE DUTIES

Supervisor/Manager Responsibilities

In the event of an injury, the supervisor/manager will make sure that the employee receives first aid, or appropriate medical treatment at the designated medical facility. If necessary due to the nature of the injury, the supervisor/manager will accompany the employee to the medical clinic.
The attending physician shall be notified on the first visit that the District has a return to work program and that modified/alternative work will be provided whenever possible. The supervisor/manager will work closely with the Contact Person to coordinate the return to work efforts and will be responsible for introducing the employee back into the workplace in the modified/alternative position.

Supervisor/manager will make sure that the injured employee receives necessary assistance from co-workers and that *the employee does NOT work outside of his/her restrictions.* Monitoring for transition into full duty work will be the supervisor's/manager's responsibility.

Employee Responsibilities

If an injury occurs on the job, the employee is required to report it to their supervisor or manager immediately. Employees that fail to report an injury may be subject to discipline. The employee must proceed to the selected provider/medical facility for occupational injury unless the employee has previously designated their personal physician (M.D.) through the Medical Provider Network (MPN) process. If necessary due to the nature of the injury, an employer representative will accompany the employee to the medical clinic.

Together with the physician, the employee's physical restrictions and limitations shall be discussed. All employees are expected to return to the worksite the very SAME day to report the physician's findings and to discuss modified or alternative work. This will enable all parties to be kept abreast of the employee's condition. Employees that have an injury shall report to the worksite after each doctor's visit to discuss his/her recovery.

Once an employee has returned to work, it is his/her responsibility to work within the physical limitations that the physician has given. The employee shall perform only those duties that are assigned to him/her. An employee shall immediately notify his/her supervisor of any difficulty in performing the duties. The employee must also notify his/her supervisor in advance of any medical appointments (time off will be allowed for industrial appointments if the employee is unable to schedule the appointment during non-work time). The employee shall keep his/her supervisor/ manager informed of the recovery process and the ability to perform modified/alternative work.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4113.4**

## TEMPORARY MODIFIED AND ALTERNATIVE DUTIES

Responsibilities of All Involved

Everyone involved in this process is encouraged to ask or address questions. Unasked questions can lead to confusion. The District is committed to promoting in the best possible way a full recovery for any of our industrially injured employees.

Temporary Modified And Alternative Duties Procedures
When an employee is temporarily disabled from performing his/her usual and customary duties as a result of a work-related injury or illness, the District will offer a modified and/or alternative work program. This temporary/modified work duty program will allow the District to assign the employee to a limited/alternative work program within the work restriction described by the District's workers' compensation physician or employee's authorized treating physician.

The operating procedure will be as follows:

1. The employee is sent to a District-approved physician or the employee's authorized treating physician.

2. The employee receives a medical examination and/or treatment and is given a statement of release to regular work or release to work with restrictions. The physician outlines the physical restrictions and capabilities of the employee in the release form.

3. The employee MUST return the release form to his/her immediate supervisor. The supervisor will immediately send a copy of the release to work with restrictions to the Human Resources Department.

4. The Human Resources Department will set up an interactive meeting with the employee and supervisor to address the restrictions and work on a modified/alternative assignment within the physician's work restrictions.

5. If the employee refuses the work offered in the modified/alternative work program assignment, no temporary disability benefits shall be payable. The employee will use personal sick or vacation leave for the absence.

6. The temporary modified/alternative work assignment will be limited to no more than sixty (60) working days for any one injury.

7. Employees who are disabled for more than sixty (60) working days and employees for whom no modified/alternative work is available will be considered temporarily totally disabled and eligible for the appropriate leaves until the employee can return to full duty.

## TEMPORARY MODIFIED AND ALTERNATIVE DUTIES

8. All work assignments are at the discretion of the District and subject to available work at the time. Work assignments will be non-discriminatory.

9. The temporary modified/alternative work does not constitute establishing a permanent modified duty position. The assignment will be for tasks that need to be done or where extra help is otherwise needed and utilized.

10. When necessary, the work site will have the option of hiring a substitute, in addition to the employee on modified work.

11. Upon release to perform the regular job duties, the employee will return to the permanent work site and his/her regular job.

Questions should be addressed to District supervisors and/or Shasta-Trinity Schools Insurance Group.

Date Adopted: October 3, 2012
Date Revised: March 1, 2017

**PERSONNEL** **BP 4113.5**

## WORKING REMOTELY

The Governing Board recognizes that working remotely at home or at another alternative location may be necessary at times when widespread illness, natural disaster, or other emergency condition makes the school or worksite unsafe or otherwise interrupts the district's ability to effectively conduct operations at the school or worksite. A full-time, part-time, or short-term remote work arrangement may also be granted by the Superintendent or designee to an individual employee, upon request, provided that the position is suitable for remote work, the employee has consistently demonstrated the ability to work independently and meet performance expectations, and the work arrangement does not hinder district operations.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.5 - Emergency Schedules)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4113 - Assignment)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 6157 - Distance Learning)

The opportunity to work remotely shall be entirely at the district's discretion, and no grievance or appeal right may arise from district denial of any employee request for remote work.

Employees approved for remote work shall comply with all district policies, administrative regulations, work schedules, and job assignments. Except when specifically agreed, approval of remote work shall not change the compensation, benefits, or other terms and conditions of employment of an employee.

(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4151/4251/4351 - Employee Compensation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

Unless otherwise approved in advance by the Superintendent or designee, employees working remotely shall do so within regular work hours established for the position. Employees are entitled and expected to take appropriate, uninterrupted meal and rest breaks, and shall keep accurate records of the hours they work. Employees shall notify their supervisor when unable to perform work assignments due to illness, equipment failure, or other unforeseen circumstances.

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

Employees working remotely are expected to conduct their work in a location that is safe and free of obstructions, hazards, and distractions. Such employees shall report to their supervisor any serious injury or illness occurring in the home workspace or in connection with their employment as soon as practically possible in accordance with Board policy.

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)
(cf. 4157.2/4257.2/4357.2 - Ergonomics)

The district shall provide to employees who work remotely all supplies, materials, apparatus, and equipment reasonably necessary to perform their jobs, including, as necessary, a technology device and Internet access. Employees shall use caution in accessing the Internet from public locations and in accessing information from networks outside of the district in order to safeguard confidential information. Employees shall be responsible for maintaining and protecting equipment on loan from the district and shall adhere to the district's Acceptable Use Agreement. The employee's personally owned equipment may only be used for district business when approved by the Superintendent or designee.

**PERSONNEL** **BP 4113.5**

## WORKING REMOTELY (CONTINUED)

(cf. 4040 - Employee Use of Technology)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

Work done at a remote work location is considered official public business. District records and communications shall be retained and safeguarded against damage or loss, and shall be kept confidential or made accessible to the public in accordance with law.
(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 5125 - Student Records)

Any employee working remotely shall be available during work hours to the employee's supervisor and other staff, students, parents/guardians, and members of the public, as appropriate, via email, phone, or other means. Lack of responsiveness on the part of the employee may result in discipline and/or termination of remote work responsibilities. Employees shall be required to attend virtual or in-person meetings when directed by their supervisor.
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Employee productivity shall be evaluated on the basis of time spent on tasks and projects, task completion, and quality of job performance in the same manner as all employees in the same position at the assigned school or office.
(cf. 4115 - Evaluation/Supervision)
(cf. 4215 - Evaluation/Supervision)
(cf. 4315 - Evaluation/Supervision)

Remote work arrangements may be discontinued at any time at the discretion of the Superintendent or designee.

Legal Reference:
GOVERNMENT CODE
6250-6270 California Public Records Act
12900-12996 Fair Employment and Housing Act
LABOR CODE
226.7 Mandated meal, rest, or recovery periods
6400 Safe and healthful employment and place of employment
6401 Unsafe workplace
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
Management Resources:
WEB SITES
California Department of Industrial Relations: http://www.dir.ca.gov

4/20

Date Adopted: May 25, 2022

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4117.2**

## RESIGNATIONS

Any employee who desires to resign shall submit, in writing, a letter of resignation which indicates the date which the employee intends as his/her last day at work. The governing board encourages employees to provide advance notice that is appropriate for the position they hold.

Oral resignations may be accepted. If an employee states that he/she is resigning to an administrator or other District employee, then that employee shall report the resignation to the Superintendent or site principal who shall, in writing, inform the resigning employee that his/her resignation has been accepted and is irrevocable.

The Superintendent of the district, or his designee, is hereby authorized by the Enterprise Board of Education to officially accept the resignation of any employee. A resignation presented to and accepted by the Superintendent of the district or his designee is irrevocable and may not be withdrawn by the employee. No notice of acceptance is required for a resignation to become effective.

*EDUCATION CODE*
*35161 Board delegation of any powers or duties*
*44420 Failure to fulfill contract as ground for suspension of diplomas and certificates*
*44433 Unauthorized departure from service as unprofessional conduct*
*44930 Acceptance and date of resignation*
*45201 Power to accept resignation*
*CODE OF REGULATIONS, TITLE 5*
*80303 Reports of change in employment status*
*80304 Notice of sexual misconduct*
*COURT DECISIONS*
*American Federation of Teachers, Local #1050 v. Board of Education of Pasadena Unified School District, (1980) 107 Cal. App. 3d 829*

Date Adopted: January 8, 1981
Date Revised: February 4, 2004, August 6, 2008, October 1, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4119.1**

## CIVIL AND LEGAL RIGHTS

The Governing Board believes that the personal life of an employee is not an appropriate concern of the district, except as it may directly relate to the performance of the employee's duties.

District employees may engage in private, personal activities, including the exercise of their religious, political, cultural, social or other beliefs or activities, during personal time such as when employees are not on duty or engaged in the supervision or instruction of students.

The district shall make no inquiry concerning the personal values, attitudes, and beliefs of district employees or their sexual orientation or political or religious affiliations, beliefs, or opinions except when authorized by law. Additionally, no district employee shall be required to provide critical appraisals of other individuals with whom the employee has a familial relationship. However, the district reserves the right to access any publicly available information about any employee.

No employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in conduct authorized under Education Code 48907 or 48950.

As permitted by law, the district may conduct a search of district property under an employee's control and may direct the employee to search the employee's personal accounts, devices, and records for district-related documents or information.

### Whistleblower Protection

An employee shall have the right to disclose to a Board member, a school administrator, a member of the County Board of Education, the County Superintendent of Schools, or the Superintendent of Public Instruction any improper governmental activity by the district or a district employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. When the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation of or noncompliance with a state or federal rule or regulation, the employee has the right to disclose such information to a government or law enforcement agency or to refuse to participate in any such activity. (EC 44112, 44113; LC 1102.5)

For purposes of whistleblower protection, a Board member is not considered to be an employee.

The Superintendent or designee shall prominently display in lettering of at least 15 point type a list of employees' rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the office of the California Attorney General. (LC 1102.7, 1102.8)

**CIVIL AND LEGAL RIGHTS (continued)**

No employee shall use or attempt to use official authority status or influence to intimidate, threaten, coerce, or command, or attempt to intimidate, threaten, coerce, or command, another employee for the purpose of interfering with that employee's right to disclose improper governmental activity. (EC 44113)

An employee who has disclosed improper governmental activity and believes that acts or attempted acts of reprisal have subsequently occurred shall file a written complaint in accordance with the district's complaint procedures. After filing a complaint with the district, the employee may also file a copy of the complaint with local law enforcement and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against the employee, in accordance with Education Code 44114.

**Protection Against Liability**

No employee shall be liable for harm caused by the employee's act or omission when acting within the scope of employment or district responsibilities, the employee's act or omission is in conformity with federal, state, and local laws, district policy, or administrative regulation, and the employee's act or omission is in furtherance of an effort to control, discipline, expel, or suspend a student or to maintain order or control in the classroom or school. (20 USC 7946)

The protection against liability shall not apply when: (20 USC 7946)

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to rights or safety of the individual harmed
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance
3. The employee was not properly licensed, if required, by state law for such activities
4. The employee was found by a court to have violated a federal or state civil rights law
5. The employee was under the influence of alcohol or any drug at the time of the misconduct
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the employee has been convicted in a court
7. The misconduct involved a sexual offense for which the employee has been convicted in a court
8. The misconduct occurred during background investigations, or other actions, involved in the employee's hiring

Date Adopted: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT (1)**

**PERSONNEL** **E(1) 4119.1**

## CIVIL AND LEGAL RIGHTS

### WHISTLEBLOWERS ARE PROTECTED

It is the public policy of the State of California to encourage employees to notify an appropriate government or law enforcement agency, person with authority over the employee, or another employee with authority to investigate, discover, or correct the violation or noncompliance, and to provide information to and testify before a public body conducting an investigation, hearing or inquiry, when they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a local, state or federal rule or regulation.

**Who is protected?**

Pursuant to California Labor Code Section 1102.5, employees are the protected class of individuals. "Employee" means any person employed by an employer, private or public, including, but not limited to, individuals employed by the state or any subdivision thereof, any county, city, city and county, including any charter city or county, and any school district, community college district, municipal or public corporation, political subdivision, or the University of California. (California Labor Code Section 1106)

**What is a whistleblower?**

A "whistleblower" is an employee who discloses information to a government or law enforcement agency, person with authority over the employee, or to another employee with authority to investigate, discover, or correct the violation or noncompliance, or who provides information to or testifies before a public body conducting an investigation, hearing or inquiry, where the employee has reasonable cause to believe that the information discloses:

1. A violation of a state or federal statute

2. A violation or noncompliance with a local, state, or federal rule or regulation, or

3. With reference to employee safety or health, unsafe working conditions or work practices in the employee's employment or place of employment

A whistleblower can also be an employee who refuses to participate in an activity that would result in a violation of a state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation.

Even if an employee does not engage in such protected activity, but their employer believes they did or will engage in protected activity in the future, they are perceived to be a whistleblower and are protected.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT (1)**

**PERSONNEL** **E(1) 4119.1**

## CIVIL AND LEGAL RIGHTS

**What protections are afforded to whistleblowers?**

1. An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower

2. An employer may not retaliate against an employee who is a whistleblower or is perceived to be a whistleblower

3. An employer may not retaliate against an employee for refusing to participate in an activity that would result in a violation of a state or federal statute, or a violation or noncompliance with a state or federal rule or regulation

4. An employer may not retaliate against an employee for having exercised their rights as a whistleblower in any former employment

Under California Labor Code Section 1102.5, if an employer retaliates against a whistleblower, the employer may be required to reinstate the employee's employment and work benefits, pay lost wages and civil monetary penalties, and take other steps necessary to comply with the law.

**How to report improper acts**

If you have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees, **call the California State Attorney General's Whistleblower Hotline at 1-800-952-5225.**

The Attorney General will refer your call to the appropriate government authority for review and possible investigation.

Date Adopted: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4119.11**

## SEXUAL HARASSMENT

The district does not discriminate on the basis of sex in any of its programs or activities and complies with Title IX of the Education Amendments of 1972 and its implementing regulations.

The Governing Board is committed to providing a safe work environment that is free of discrimination, harassment, and intimidation, including sexual harassment. The Board prohibits sexual harassment, as defined in the accompanying administrative regulation, in district programs and activities by and against district employees. For purposes of this policy and accompanying administrative regulation, employees include interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

Additionally, the Board prohibits retaliatory behavior or action against any person who complains or testifies about conduct that reasonably may constitute sexual harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (EC 220.1; 34 CFR 106.71)

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to: (EC 231.5; GC 12950.1; 2 CCR 11023; 34 CFR 106.8, 106.45)

1. Providing training to employees in accordance with law and administrative regulation

2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply

3. Publicize as specified in Exhibit (1) 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, the required notifications related to Title IX to employees, applicants for employment, and bargaining units

4. Ensuring prompt, thorough, fair, and equitable investigation of complaints through the appropriate state and/or federal procedures

5. Taking timely and appropriate corrective/remedial action(s)

The Superintendent or designee may periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to harassment policy(ies), complaint procedures, or training, as appropriate and in accordance with law.

**PERSONNEL** **BP 4119.11**

**SEXUAL HARASSMENT (continued)**

**Reports and Complaints**

Any district employee who has experienced sexual harassment in the district's education program or activity may file a complaint with the district's Title IX Coordinator. (34 CFR 106.8)

Any employee with knowledge of conduct that reasonably may constitute sexual harassment by or against another district employee, a student, or a third party in a district education program or activity shall notify the Title IX Coordinator within one workday.

Once notified, the Title IX Coordinator shall ensure that the complaint alleging sexual harassment is addressed through Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures or Administrative Regulation 4030 - Nondiscrimination in Employment, as applicable. Additionally, the Title IX Coordinator shall ensure that any implementation of Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, concurrently meets the requirements of Administrative Regulation 4030 - Nondiscrimination in Employment.

Before or after the filing of a formal complaint or where no formal complaint has been filed, the Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and the respondent, as deemed appropriate under the circumstances. (34 CFR 106.30, 106.44)

Upon investigation of a sexual harassment complaint, any district employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Date Adopted: August 6, 2008
Date Revised: September 7, 2016, February 1, 2017, May 23, 2018, September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4119.11**

## SEXUAL HARASSMENT

### Definitions

Sexual harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of one, or a combination of two or more protected characteristics, which include, but may not be limited to, sex; gender; gender identity; gender expression; sexual orientation; sex stereotypes; pregnancy, false pregnancy, childbirth, or related conditions or recovery; reproductive health decision-making; breastfeeding or related medical conditions; and parental, marital, and family status. (GC 11135, 12920, 12926, 12940; 20 USC 1681-1688)

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (EC 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment

2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual

3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment

4. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district

For purposes of applying the complaint procedures specified in Title IX, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on the person's participation in unwelcome sexual conduct

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

**SEXUAL HARASSMENT (continued)**

3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

### Title IX Coordinator/Compliance Officer

The district designates the following individual as the responsible employee to coordinate its efforts to comply with Title IX in accordance with Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, and oversee the district's response to sexual harassment complaints processed under Administrative Regulation 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:

HR Director, 1155 Mistletoe Lane, Redding, CA 96002. 530-224-4100.
hr@eesd.net

### Training

The Superintendent or designee shall ensure that employees receive training regarding sexual harassment in accordance with state and federal law.

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment as specified in Government Code 12950.1. All newly hired employees and employees promoted to a supervisory position shall receive training within six months of their assumption of the new position. (GC 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (GC 12926)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (GC 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (GC 12950.1; 2 CCR 11024)

**SEXUAL HARASSMENT (continued)**

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment

2. The types of conduct that constitute sexual harassment

3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability

4. Strategies to prevent harassment in the workplace

5. Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware

6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources

7. The limited confidentiality of the complaint process

8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment

9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint

10. What to do if the supervisor is personally accused of harassment

11. The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

    Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received.

12. Information, including practical examples, of harassment based on sex, gender identity, gender expression, and sexual orientation

13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct

**SEXUAL HARASSMENT (continued)**

has on the victim and others in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

The Superintendent or designee shall retain for at least two years the records of any training provided to employees. Such records shall include, but are not limited to, the names of trained employees, date of the training, the sign in sheet, a copy of all certificates of attendance or completion issued, the type of training, a copy of all written or recorded materials that comprise the training, and name of the training provider. (2 CCR 11024)

Additionally, the Superintendent or designee shall ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training in accordance with 34 CFR 106.45, including the definition of sexual harassment specified in 34 CFR 106.30, the scope of the district's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

In addition, the district's Title IX sexual harassment training shall include additional training for investigators and decisionmakers. (34 CFR 106.45)

The Superintendent or designee shall retain for seven years the materials used to provide training as specified in 34 CFR 106.45, make these materials publicly available on its website, or, if the district does not maintain a website make these materials available upon request, to members of the public.

**Notifications**

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

The Superintendent or designee shall ensure that a copy of the accompanying Board policy and this administrative regulation:

**SEXUAL HARASSMENT (continued)**

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted (EC 231.5)

2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired (EC 231.5)

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (EC 231.5)

4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's website (34 CFR 106.8)

5. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Civil Rights Department (CRD) or the district that contains, at a minimum, components on: (GC 12950)

1. The illegality of sexual harassment

2. The definition of sexual harassment under applicable state and federal law

3. A description of sexual harassment, with examples

4. The district's complaint process available to the employee

5. The legal remedies and complaint process available through CRD and the Equal Employment Opportunity Commission (EEOC)

6. Directions on how to contact CRD and the EEOC

7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by CRD and the EEOC

Additionally, the district shall post, in a prominent and accessible location, the CRD poster on discrimination in employment and the illegality of sexual harassment, and the CRD poster regarding transgender rights. (GC 12950)

**SEXUAL HARASSMENT (continued)**

### Complaint Procedures

All complaints alleging sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The district's Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved in accordance with Administrative Regulation 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Title IX Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

Date Adopted: August 6, 2008
Date Revised: September 7, 2016, February 1, 2017, May 23, 2018, September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGUALTION**

**PERSONNEL** **AR 4119.12**

## TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291
(cf. 4119.11 - Sexual Harassment)

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 4030 - Nondiscrimination in Employment.
(cf. 4030 - Nondiscrimination in Employment)

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 4119.11 - Sexual Harassment.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

## TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint that did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution

**TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)**

process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process

Formal Complaint Process

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process

2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process

4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence

5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

**PERSONNEL** **AR 4119.12**

## TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)

During the investigation process, the district shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence

3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney

4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties

5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate

6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

9. After sending the investigative report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence

**TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)**

concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process

3. Findings of fact supporting the determination

4. Conclusions regarding the application of the district's code of conduct to the facts

5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or

**TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)**

activity will be provided by the district to the complainant

6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties

2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator

3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome

5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Equal Employment Opportunity Commission.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the

## TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)

complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.
(cf. 4117.7/4317.7 - Employment Status Report)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)
(cf. 3580 - District Records)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex
48900 Grounds for suspension or expulsion
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48985 Notices, report, statements and records in primary language
CIVIL CODE
51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor
GOVERNMENT CODE
12950.1 Sexual harassment training
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1092 Definition of sexual assault
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 34
12291 Definition of dating violence, domestic violence, and stalking
UNITED STATES CODE, TITLE 42
1983 Civil action for deprivation of rights
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
106.1-106.82 Nondiscrimination on the basis of sex in education programs
COURT DECISIONS Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

## TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

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

7/20

Date Adopted: November 4, 2020

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4119.21**

## PROFESSIONAL STANDARDS

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district; advances the goals of the district's educational programs; encourages student learning, engagement, and success; and contributes to a safe and positive school climate.

Each employee is expected to acquire the knowledge and skills necessary to fulfill the employee's professional responsibilities and to contribute to the learning and achievement of district students.

### Inappropriate Conduct

The Board prohibits inappropriate conduct between employees, adult volunteers, and district contractors and among and between adults employed, volunteering, or under contract with the district. (EC 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers or threatens to endanger students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon.

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

**PROFESSIONAL STANDARDS (continued)**

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity

9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records

10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity
Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employees' consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

14. Wearing inappropriate attire

15. Other conduct prohibited in Board Policy 4119.24-Maintaining Appropriate Adult-Student Interactions

**Reports of Misconduct**

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child

**PROFESSIONAL STANDARDS (continued)**

abuse reporting procedures as detailed in Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated by the Superintendent or designee. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

**Notifications**

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district websites. (EC 44050)

Date Adopted: March 13, 2018
Date Revised: March 11, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT**

**PERSONNEL** **E 4119.21**

**PROFESSIONAL STANDARDS**

CTA AND NEA CODE OF ETHICS OF THE EDUCATION PROFESSION

Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurturing of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

Principle I. Commitment to the Student

The educator strives to help each student realize his/her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning
2. Shall not unreasonably deny the student access to varying points of view
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety
5. Shall not intentionally expose the student to embarrassment or disparagement
6. Shall not on the basis of race, color, creed, gender, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:
    a. Exclude any student from participation in any program
    b. Deny benefits to any student
    c. Grant any advantage to any student

**PROFESSIONAL STANDARDS (continued)**

7. Shall not use professional relationships with students for private advantage

8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law

Principle II. Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation of the profession, the educator:

1. Shall not in any application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications

2. Shall not misrepresent his/her professional qualifications

3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute

4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position

5. Shall not assist a noneducator in the unauthorized practice of teaching

6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law

7. Shall not knowingly make false or malicious statements about a colleague

8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action

Source: National Education Association, 1975
(3/91) 11/01
Date Adopted: March 13, 2018

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4119.24**

## MAINTAINING APPROPRIATE ADULT-STUDENT INTERACTIONS

For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the district.

The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, in accordance with this policy and Board Policy 4119.21- Professional Standards. Such adults shall not engage in threatening, unsafe, unlawful, or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

The district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district websites. (EC 44050)

### Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students.

The Board prohibits inappropriate conduct between employees and students. (EC 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Initiating inappropriate physical contact

2. Attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature

3. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

4. Unnecessarily being alone with a student outside of the view of others

5. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent

6. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic

**MAINTAINING APPROPRIATE ADULT-STUDENT INTERACTIONS (con't)**

communications, or other means of communication, without including the student's parent/guardian

In accordance with Board Policy/Administrative Regulation 4040 - Employee Use of Technology employees shall use district equipment or technological resources, when available, when communicating electronically with students. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.

7. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee

8. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business

9. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students

10. Addressing a student in an overly familiar manner, such as by using a term of endearment

11. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities

12. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose

13. Transporting a student in a personal vehicle without prior authorization

14. Encouraging students to confide their personal or family problems and/or relationships

15. Disclosing personal, family, or other private matters to students or sharing personal secrets with students

16. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence

17. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

18. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

19. Using profane, obscene, or abusive language against students

**PERSONNEL** **BP 4119.24**

## MAINTAINING APPROPRIATE ADULT-STUDENT INTERACTIONS (con't)

### Violations of Policy

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Board prohibits retaliation against anyone who reports a violation of this policy. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. Additionally, the Superintendent or designee may also notify law enforcement as appropriate.

Board Adopted: December 18, 2019
Date Revised: March 11, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4119.41**

## EMPLOYEES WITH INFECTIOUS DISEASE

The Governing Board desires to promote the health of district students and staff in order to reduce absenteeism and enhance employee and student performance. The Superintendent or designee shall develop strategies to prevent the outbreak or spread of infectious diseases at district schools.
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

An infectious disease is one that is caused by a microorganism and is potentially transmittable to another individual, whether through airborne transmission, bloodborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. A communicable infectious disease, such as influenza or chicken pox, is contagious and can be readily transmitted by infectious bacteria or viral organisms.

In accordance with law, job applicants shall be required to provide evidence that they are free of tuberculosis or any other communicable infectious disease prior to beginning employment.
(cf. 4112.4/4212.4/4312.4 - Health Examinations)

To prevent the outbreak or spread of infectious diseases, the Superintendent or designee may provide infection prevention supplies and information to employees, including information about recommended vaccinations. Employees also shall observe universal precautions to avoid contact with potentially infectious blood or other bodily fluids.
(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Plans for addressing a communicable infectious disease outbreak, including, but not limited to, plans for addressing employee shortages during such an outbreak, shall be included in the district's emergency preparedness plan.
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.31 - Immunizations)

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable infectious disease. In addition, a school nurse or other health care provider who knows of or is in attendance on a case or suspected case of any of the diseases or conditions listed in 17 CCR 2500 shall make a report to the local health officer. If no health care provider is in attendance, any individual having knowledge of a person who is suspected to be suffering from one of the specified diseases or conditions may make a report to the local health officer. (17 CCR 2500, 2508)
(cf. 5141.6 - School Health Services)

## EMPLOYEES WITH INFECTIOUS DISEASE (continued)

Nondiscrimination/Reasonable Accommodation

The district shall not discriminate against any employee or job applicant who has an infectious disease that meets the federal or state definition of a disability under the Americans with Disabilities Act, California Fair Employment and Housing Act, or Section 504 of the Federal Rehabilitation Act. (Government Code 12900-12996; 29 USC 794; 42 USC 12101-12213)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4031 - Complaints Concerning Discrimination in Employment)

Upon request, any qualified person with a disability shall be provided reasonable accommodation to perform the essential duties of his/her position in accordance with the criteria and processes described in AR 4032 - Reasonable Accommodation.
(cf. 4032 - Reasonable Accommodation)

*Legal Reference:*
*EDUCATION CODE*
*44839 Medical certificate; periodic medical examination*
*44839.5 Requirements for employment of retirant*
*49406 Examination for tuberculosis (employees)*
*CIVIL CODE*
*56-56.37 Confidentiality of medical information*
*GOVERNMENT CODE*
*12900-12996 Fair Employment and Housing Act*
*HEALTH AND SAFETY CODE*
*120975-121020 Mandated blood testing and confidentiality to protect public health*
*CODE OF REGULATIONS, TITLE 2*
*7293.5-7294.2 Discrimination based on disability*
*CODE OF REGULATIONS, TITLE 5*
*5502-5504 Medical certification*
*CODE OF REGULATIONS, TITLE 17*
*2500 Reportable diseases and conditions*
*2508 Reporting of communicable diseases; duty of schools*
*UNITED STATES CODE, TITLE 29*
*794 Section 504 of the Rehabilitation Act of 1973*
*UNITED STATES CODE, TITLE 42*
*12101-12213 Americans with Disabilities Act*
*COURT DECISIONS*
*Chevron USA v. Echazabal, (2002) 536 U.S. 73, 122 S.Ct. 2045*
*School Board of Nassau County, Florida v. Arline, (1987) 408 U.S. 273*

*Management Resources:*
*CSBA PUBLICATIONS*
*H1N1 Influenza (Swine Flu), Fact Sheet, April 2009*
*Pandemic Influenza, Fact Sheet, September 2007*
*CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS*
*California HIV/AIDS Laws, 2009, January 2010*
*EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS*
*Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002*
*WEB SITES*
*CSBA: http://www.csba.org*
*California Department of Public Health: http://www.cdph.ca.gov*
*California School Nurses Organization: http://www.csno.org*
*Centers for Disease Control and Prevention: http://www.cdc.gov*
*Equal Employment Opportunity Commission: http://www.eeoc.gov*
*U.S. Department of Health and Human Services: http://www.hhs.gov*

(6/88 12/91) 7/12

Date Adopted: January 9, 1992
Date Revised: September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4119.42**

## EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS

As part of its commitment to provide a safe and healthful work environment, the Governing Board recognizes the importance of developing an exposure control plan. The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace to protect employees from possible infection due to contact with bloodborne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV).
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

The Superintendent or designee may exempt designated first aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations. (8 CCR 5193(f))

Any employee not identified by the Superintendent or designee as having occupational exposure may submit a request to the Superintendent or designee to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

*Legal Reference:*
*LABOR CODE*
*142.3 Authority of Cal/OSHA to adopt standards*
*144.7 Requirement to amend standards*
*CODE OF REGULATIONS, TITLE 8*
*3204 Access to employee exposure and medical records*
*5193 California bloodborne pathogens standards*
*CODE OF FEDERAL REGULATIONS, TITLE 29*
*1910.1030 OSHA bloodborne pathogens standards*

*Management Resources:*
*CDE PROGRAM ADVISORIES*
*1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings*
*WEB SITES*
*OSHA: http://www.osha.gov*
*Cal/OSHA: http://www.dir.ca.gov/occupational_safety.html*
*Centers for Disease Control and Prevention: http://www.cdc.gov*

(3/93) 7/99

Date Adopted: September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4119.42**

## EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS

Definitions

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193(b))

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties. (8 CCR 5193 (b))

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions. (8 CCR 5193(b))

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193(b))

A sharps injury is any injury caused by a sharp, including but not limited to cuts, abrasions or needlesticks. (8 CCR 5193(b))

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193(b))

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193(b))

Engineered sharps injury protection is a physical attribute built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b))

Exposure Control Plan

The district's exposure control plan shall contain at least the following components: (8 CCR 5193(c))

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials

   The district's exposure determination shall be made without regard to the use of personal protective equipment and shall include a list of:

**EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)**

a. All job classifications in which all employees have occupational exposure

b. Job classifications in which some employees have occupational exposure

c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #b above

2. The schedule and method of implementing:

a. Methods of compliance required by 8 CCR 5193(d), such as universal precautions, general and specific engineering and work practice controls, and personal protective equipment

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

b. Hepatitis B vaccination

c. Bloodborne pathogen post-exposure evaluation and follow-up

d. Communication of hazards to employees, including labels, signs, information and training

e. Recordkeeping

3. The district's procedure for evaluating circumstances surrounding exposure incidents

4. An effective procedure for gathering information about each exposure incident involving a sharp, as required for the log of sharps injuries

5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents documented in the sharps injury log

6. An effective procedure for identifying currently available engineering controls and selecting such controls as appropriate for the procedures performed by employees in their work areas or departments

7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in a patient's care determines, in the reasonable exercise of clinical judgment, that the use of an engineering control would jeopardize an individual's safety or the success of a medical, dental or nursing procedure involving the individual

**EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)**

8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated whenever necessary to: (8 CCR 5193(c))

1. Reflect new or modified tasks and procedures affecting occupational exposure
2. To the extent that sharps are used in the district, reflect progress in implementing the use of needleless systems and sharps with engineered sharps injury protection
3. Include new or revised employee positions with occupational exposure
4. Review and evaluate the exposure incidents which occurred since the previous update
5. Review and respond to information indicating that the exposure control plan is deficient in any area

The district's exposure control plan shall be accessible to employees upon request. (8 CCR 3204(e))

Preventive Measures

The Superintendent or designee shall use engineering and work practice controls to eliminate or minimize employee exposure, and shall regularly examine and update controls to ensure their effectiveness. (8 CCR 5193(d))

Hepatitis B Vaccination

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, or antibody testing has revealed that the employee is immune, or vaccination is contraindicated by medical reasons. (8 CCR 5193(f))

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193(f))

The Superintendent or designee may exempt designated first aid providers from the pre-exposure hepatitis B vaccine in accordance with 8 CCR 5193 (f).

## EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Information and Training

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program containing the elements required by state regulations, during working hours and at no cost to the employee. This program shall be offered at the time of initial assignment to tasks where occupational exposure may take place, at least annually thereafter, and whenever a change of tasks or procedures affects the employee's exposure. (8 CCR 5193(g))

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193(g))

Reporting Incidents

All exposure incidents shall be reported as soon as possible to the Superintendent or designee.

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193(f))

Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193(c))

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193(c))

1. Date and time of the exposure incident

2. Type and brand of sharp involved in the exposure incident

3. A description of the exposure incident, including:

    a. Job classification of the exposed employee

    b. Department or work area where the exposure incident occurred

**EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)**

c. The procedure that the exposed employee was performing at the time of the incident

d. How the incident occurred

e. The body part involved in the incident

f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during or after the protective mechanism was activated

g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury

h. The employee's opinion about whether any other engineering, administrative or work practice could have prevented the injury

Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193(f))

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred
2. Identify and document the source individual, unless that identification is infeasible or prohibited by law
3. Provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional with a copy of 8 CCR 5193; a description of the employee's duties as they relate to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the district relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193(f))

## EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193(f))
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

Records

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location, and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)
(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

Medical records for each employee with occupational exposure shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193(h))

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place and manner, no later than 15 days after the request is made. (8 CCR 3204(e))

Records shall be maintained as follows: (8 CCR 3204(d), 5193(h))

1. Medical records shall be maintained for the duration of employment plus 30 years.

2. Training records shall be maintained for three years from the date of training.

3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.

4. Exposure records shall be maintained for at least 30 years.

5. Each analysis using medical or exposure records shall be maintained for at least 30 years.

(3/93) 7/99

Date Adopted: September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4121**

## TEMPORARY/SUBSTITUTE PERSONNEL

The Governing Board recognizes that substitute and temporary personnel perform an essential role in promoting student achievement and desires to employ highly qualified, appropriately credentialed employees to fill such positions.
(cf. 4112.2 - Certification)

Hiring

The Superintendent or designee shall recommend candidates for substitute or temporary positions for Board approval, and shall ensure that all substitute and temporary employees are assigned in accordance with law and the authorizations specified in their credential.
(cf. 4113 - Assignment)

Substitute personnel may be employed on an on-call, day-to-day basis.

In addition, after September 1 of any school year, the Board may employ substitute personnel for the remainder of the school year for positions for which no regular employee is available. The district shall first demonstrate to the Commission on Teacher Credentialing the inability to acquire the services of a qualified regular employee. (Education Code 44917)
(cf. 4117.14/4317.14 - Postretirement Employment)

Permanent or probationary certificated employees who were laid off pursuant to Education Code 44955 and who have a preferred right of reappointment shall be given priority for substitute service in the order of their original employment. (Education Code 44956, 44957)
(cf. 4117.3 - Personnel Reduction)

Classification

At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such. (Education Code 44915, 44916)

The Board may classify as substitute personnel a teacher hired to fill the position of a regularly employed person who is absent from service. (Education Code 44917)

To address the need for additional certificated employees when regular district employees are absent due to leaves or long-term illness, the Board may classify a teacher who is employed for at least one semester and up to one complete school year as a temporary employee. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee even if employed for less than a semester. The Board shall determine the number of persons who shall be so employed, which shall not exceed the identified need based on the absence of regular employees. (EC 44920)

## TEMPORARY/SUBSTITUTE PERSONNEL (continued)

The Board also shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:

1. Serve from day to day during the first three months of any school term to teach temporary classes which shall not exist after that time, or perform any other duties which do not last longer than the first three months of any school term (EC 44919)

2. Teach in special day and evening classes for adults or in schools of migratory population for not more than four months of any school term (EC 44919)

(cf. 6175 - Migrant Education Program)
(cf. 6200 - Adult Education)

3. Serve in a limited assignment supervising student athletic activities provided such assignments have first been made available to teachers presently employed in the district (EC 44919)

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

4. Serve in a position for a period not to exceed 20 working days in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification (EC 44919)

For purposes of classifying employees pursuant to item #1 or #2 above, the school year shall not be divided into more than two school terms. (EC 44919)

Any employee hired to provide services in a categorically funded program or project may be employed for a period less than a full school year. He/she may be classified as a temporary employee if the period of employment will end at the expiration of that program or project. (EC 44909)

Salary and Benefits

The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s) for substitute employees for all categories or classes of certificated employees of the district. (EC 44977, 45030)

Temporary employees shall participate in the health and welfare plans or other fringe benefits of the district.

(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

## TEMPORARY/SUBSTITUTE PERSONNEL (continued)

Paid Sick Leave

As of July 1, 2015, Any temporary or substitute employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (LC 246)

A temporary or substitute employee may use accrued sick leave for absences due to: (LC 246.5)

1. The diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or his/her family member as defined in Labor Code 245.5

2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

No employee shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against any employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249. The Superintendent or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep of records of employees' use of sick leave for three years, and comply with other requirements specified in Labor Code 245-249 and in AR 4161.1/4361.1 - Personal Illness/Injury Leave.

Release from Employment/Dismissal

The Board may dismiss a substitute employee at any time at its discretion. (EC 44953)

The Board may release a temporary employee at its discretion if the employee has served less than 75 percent of the number of days the regular schools of the district are maintained during one school year. After serving 75 percent of the number of days that district schools are maintained during one school year, a temporary employee may be released as long as he/she is notified, before the last day of June, of the district's decision not to reelect him/her for the following school year. (EC 37200, 44954)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

**PERSONNEL** **BP 4121**

**TEMPORARY/SUBSTITUTE PERSONNEL (continued)**

Reemployment as a Probationary Employee

Unless released from employment pursuant to Education Code 44954, any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant position requiring certification qualifications, be classified as a probationary employee. With the exception of on-call, day-to-day substitutes, if a temporary or substitute employee performs the duties normally required of certificated employees for at least 75 percent of the number of days the regular schools of the district were maintained in that school year and is then employed as a probationary employee for the following school year, his/her previous employment as a temporary or substitute employee shall be credited as one year's employment as a probationary employee for purposes of acquiring permanent status. (EC 44917, 44918, 44920)
(cf. 4116 - Probationary/Permanent Status)

Vacant position means a position in which the employee is qualified to serve and which is not filled by a permanent or probationary employee. It shall not include a position which would be filled by a permanent or probationary employee except for the fact that such employee is on leave. (EC 44920, 44921)

A temporary employee hired pursuant to item #1 or #2 in the section "Classification" above shall be classified as a probationary employee if the duties continue beyond the time limits of the assignment. (EC 44919)

With the exception of on-call, day-to-day substitutes, any temporary or substitute employee who was released pursuant to Education Code 44954 but who has nevertheless served in a certificated position in the district for at least 75 percent of each of two consecutive school years shall receive first priority if the district fills a vacant position for the subsequent school year at the grade level at which the employee served during either year. In the case of a departmentalized program, the employee shall have taught the subject matter in which the vacant position occurs. (EC 44918)

## TEMPORARY/SUBSTITUTE PERSONNEL (continued)

*Legal Reference:*
*EDUCATION CODE*
*22455.5 Provision of retirement plan information to potential members*
*22515 Irrevocable election to join retirement plan*
*37200 School calendar*
*44252.5 State basic skills assessment required for certificated personnel*
*44300 Emergency teaching or specialist permits*
*44830 Employment of certificated persons; requirements of proficiency in basic skills*
*44839.5 Employment of retirant*
*44845 Date of employment*
*44846 Criteria for reemployment preferences*
*44909 Employees providing services through categorically funded programs*
*44914 Substitute and probationary employment computation for classification as permanent employee*
*44915 Classification of probationary employees*
*44916 Time of classification; statement of employment status*
*44917 Classification of substitute employees*
*44918 Substitute or temporary employee deemed probationary employee; reemployment rights*
*44919 Classification of temporary employees*
*44920 Employment of certain temporary employees; classifications*
*44921 Employment of temporary employees; reemployment rights (unified and high school districts)*
*44953 Dismissal of substitute employees*
*44954 Release of temporary employees*
*44955 Layoff of permanent and probationary employees*
*44956 Rights of laid-off permanent employees to substitute positions*
*44957 Rights of laid-off probationary employees to substitute positions*
*44977 Salary schedule for substitute employees*
*45030 Substitutes*
*45041 Computation of salary*
*45042 Alternative method of computation for less than one school year*
*45043 Compensation for employment beginning in the second semester*
*56060-56063 Substitute teachers in special education*
*GOVERNMENT CODE*
*3540.1 Educational Employment Relations Act, definitions*
*LABOR CODE*
*220 Sections inapplicable to public employees*
*230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off*
*230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off*
*233 Illness of child, parent, spouse or domestic partner*
*234 Absence control policy*
*245-249 Healthy Workplaces, Healthy Families Act of 2014*
*CODE OF REGULATIONS, TITLE 5*
*5502 Filing of notice of physical examination for employment of retired person*
*5503 Physical examination for employment of retired persons*
*5590 Temporary athletic team coach*
*80025-80025.5 Emergency substitute teaching permits*
*COURT DECISIONS*
*McIntyre v. Sonoma Valley Unified School District (2012) 206 Cal.App.4th 170*
*Stockton Teachers Association CTA/NEA v. Stockton Unified School District (2012) 204 Cal.App.4th 446*
*Neily v. Manhattan Beach Unified School District, (2011) 192 Cal.App.4th 187*
*California Teachers Association v. Vallejo City Unified School District, (2007) 149 Cal.App.4th 135*
*Bakersfield Elementary Teachers Assn. v. Bakersfield City School District, (2006) 145 Cal.App.4th 1260, 1277*
*Kavanaugh v. West Sonoma Union High School District, (2003) 29 Cal.4th 911*

*Management Resources:*
*WEB SITES*
*CSBA: http://www.csba.org*
*Commission on Teacher Credentialing: http://www.ctc.ca.gov*

(7/12) 12/14

Date Adopted: May 27, 2015

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4121**

## TEMPORARY/SUBSTITUTE PERSONNEL

Qualifications

Any candidate recommended by the Superintendent or designee for a substitute or temporary position requiring certification qualifications shall possess the appropriate credential or permit authorizing his/her employment in such position and shall meet all other requirements of law for certificated positions. (EC 44830)
(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)
(cf. 4112.2 - Certification)
(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)
(cf. 4112.4/4212.4/4312.4 - Health Examinations)
(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

The district shall not initially hire a certificated person on a substitute or temporary basis in a capacity designated in his/her credential unless he/she has demonstrated basic skills proficiency in reading, writing, and mathematics pursuant to Education Code 44252.5, unless exempted by law. (EC 44830)

A noncredentialed person shall not substitute for any special education certificated position. The Superintendent or designee shall recruit and maintain lists of appropriately credentialed substitute teachers for special education positions. He/she shall contact institutes of higher education with approved special education programs for possible recommendations of appropriately credentialed special education personnel. (EC 56060, 56063)

Notifications

At the time of initial employment during each school year, each new temporary employee shall receive a written statement indicating his/her employment status and salary. This statement shall clearly indicate the temporary nature of the employment and the length of time for which the person is being employed. (EC 44916)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Time of initial employment means before the employee starts work. (Kavanaugh v. West Sonoma County Union High School District)

The Superintendent or designee shall notify all substitute and part-time certificated employees, within 30 days of their hire, of their right to elect membership in a defined benefit program under a qualified retirement plan. The employee shall sign a form provided by the system to acknowledge receipt of this notice and to indicate whether he/she elects or declines membership. Election of membership shall be irrevocable for all future employment to perform creditable service. (EC 22455.5, 22515)

**PERSONNEL** **AR 4121**

**TEMPORARY/SUBSTITUTE PERSONNEL (continued)**

Assignments

A person who holds an emergency 30-day substitute permit, emergency career substitute permit, emergency substitute permit for prospective teachers, or emergency substitute permit for career technical education shall be restricted in the number of days he/she may substitute for any one teacher in accordance with 5 CCR 80025-80025.5.

In placing substitute teachers in special education classrooms, the district shall give first priority to substitute teachers with the appropriate special education credential(s), second priority to substitute teachers with any other special education credential, and third priority to substitute teachers with a regular teaching credential. An inappropriately credentialed substitute teacher shall not serve as a substitute for a special education teacher for a period of more than 20 cumulative school days for each special education teacher absent during each school year. The district may apply to the Superintendent of Public Instruction for an extension of 20 school days, or for a longer period in extraordinary circumstances. (EC 56060-56062)

(6/97 7/03) 7/12

Date Adopted: May 27, 2015

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4131**

## STAFF DEVELOPMENT

The Governing Board believes that, in order to maximize student learning and achievement, and well-being, certificated staff members must be continuously learning and improving their skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills, become informed about changes in pedagogy and subject matter, and strengthen practices related to social-emotional development and learning.
(cf 6111 –School Calendar)

The Superintendent or designee shall involve teachers, site and district administrators, and others, as appropriate, when creating, reviewing, and amending the district's staff development program. The Superintendent or designee shall ensure that the district's staff development program is aligned with district priorities for student learning, achievement and well-being, school improvement objectives, the local control and accountability plan, and other district and school plans.
(cf. 0000 Vision)
(cf. 0200 Goals for the School District)
(cf. 0420 – School Plans/Site Councils)
(cf. 0420.1 – School-Based Program Coordination)
(cf. 0460 – Local Control and Accountability Plan)
(cf. 0520.2 – Title I Program Improvement Schools)
(cf. 0520.3 – Title I Program Improvement Districts)
(cf. 0520.4 – Quality Education Investment Schools)

The district's staff development program shall assist certificated staff in developing knowledge and skills including, but not limited to:

1. Mastery of subject-matter knowledge, including current state and district academic standards.
   (cf. 6011 - Academic Standards)
   (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
   (cf. 6142.3 - Civic Education)
   (cf. 6142.5 - Environmental Education)
   (cf. 6142.6 - Visual and Performing Arts Education)
   (cf. 6142.7 - Physical Education)
   (cf. 6142.8 - Comprehensive Health Education)
   (cf. 6142.91 - Reading/Language Arts Instruction)
   (cf. 6142.92 - Mathematics Instruction)
   (cf. 6142.93 - Science Instruction)

2. Use of effective, subject-specific teaching methods, strategies, and skills

3. The use of technologies to enhance instruction and learning, including face-to-face, remote, or hybrid instruction.
   (cf 0440 – District Technology Plan)

**STAFF DEVELOPMENT (continued)**

4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, students with characteristics specified in Education Code 200 and/or 220, Government code 11135, and/or Penal Code 422.55

5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning
   (cf 6178 – Career Technical Education)

6. Knowledge of strategies that encourage parents/guardians to participate fully and effectively in their children's education
   (cf 1240 – Volunteer Assistance)
   (cf 5020 – Parent Rights and Responsibilities
   (cf 6020 - Parent Involvement

7. Effective classroom skills and strategies for establishing a climate that promotes respect, fairness, acceptance and civility, including conflict resolution, and hatred prevention and positive behavioral interventions and supports
   (cf 5131 – Conduct)
   (cf 5131.2 – Bullying)
   (cf 5137 – Positive School Climate)
   (cf 5138 – Conflict Resolution/Peer Mediation)
   (cf 5145.9 – Hate-Motivated Behavior)

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

9. Ability to interpret and use data and assessment results to guide instruction
   (cf 5121 – Grades/Evaluation of Student Achievement)
   (cf 6162.5 – Student Assessment)

10. Knowledge of topics related to student mental and physical health, safety, and welfare, which include social-emotional learning and trauma-informed practices
    (cf 0450 – Comprehensive Safety Plan)
    (cf 3515.5 Sex Offender Notification)
    (cf 5030 – Student Wellness)
    (cf 5131.6 – Alcohol and Other Drugs)
    (cf 5131.63 – Steroids)

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

**STAFF DEVELOPMENT (continued)**

The Superintendent or designee shall, in conjunction with teachers, interns and administrators, as appropriate develop an individualized program of professional growth to increase competence, performance, and effectiveness in teaching and classroom management and, as necessary, to assist them in meeting state or federal requirements to be fully qualified for their positions.
(cf 4112.2 – Certification)
(cf 4112.21 – Interns)
(cf 4112.24 – Teacher Qualifications Under the No Child Left Behind Act)
(cf 4131.1 – Beginning Teacher Support/Induction)
(cf 4138 – Mentor Teachers)

Professional learning opportunities offered by the district shall be evaluated based on the criteria specified in Education Code 44277. Such opportunities may be part of a coherent plan that combines school activities within a school, including lesson study or co-teaching, and external learning opportunities that are related to academic subjects taught, provide time to meet and work with other teachers, and support instruction and student learning. Learning activities may include, but are not limited to, mentoring projects for new teachers, extra support for teachers to improve practice, and collaboration time for teachers to develop new instructional lessons, select or develop common formative assessments, or analyze student data. (EC 44277)

The district's staff evaluation process may be used to recommend additional individualized staff development for individual employees.
(cf 4115 – Evaluation/Supervision)

The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.
(cf 3100 – Budget)
(cf 3350 – Travel Expenses)

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program. Based on the Superintendent's report, the Board may revise the program as necessary in order to ensure that the staff development program supports the district's priorities for student achievement and well-being.
(cf 0500 – Accountability)

**PERSONNEL** **BP 4131**

## STAFF DEVELOPMENT (continued)

| State References | Description |
|---|---|
| 5 CCR 13025-13044 | Professional development and program improvement |
| 5 CCR 80021 | Short-term staff permit |
| 5 CCR 80021.1 | Provisional internship permit |
| 5 CCR 80023-80026.6 | Emergency permits |
| Ed. Code 44032 | Travel expense payment |
| Ed. Code 44259.5 | Standards for teacher preparation |
| Ed. Code 44277 | Professional growth programs for individual teachers |
| Ed. Code 44300 | Emergency permits |
| Ed. Code 44325-44328 | District interns |
| Ed. Code 44450-44468 | University intern program |
| Ed. Code 44570-44578 | Inservice training, secondary education |
| Ed. Code 44830.3 | Employing district interns |
| Ed. Code 45028 | Salary schedule and exceptions |
| Ed. Code 48980 | Parental notifications |
| Ed. Code 52060-52077 | Local control and accountability plan |
| Ed. Code 56240-56245 | Staff development; service to persons with disabilities |
| Ed. Code 99200-99206 | Subject matter projects |
| Gov. Code 3543.2 | Scope of representation |

(7/05 11/05 11/06) 12/13

Date Adopted: August 6, 2008
Date Revised: June 11, 2014, November 3, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4131**

## STAFF DEVELOPMENT

The Superintendent or designee shall ensure that certificated staff members have opportunities to learn both from outside sources and from each other. These opportunities may include, but are not limited to:

1. Visits to other classrooms and other schools to observe and analyze teaching

2. Attendance at professional education conferences or committee meetings

3. Classes/workshops offered by the district, county office of education, state projects, private organizations, or other appropriate agencies

4. Courses in regionally accredited institutions of higher education, including courses delivered through online technologies

5. Participation in professional development networks that promote inquiry and allow staff to analyze and evaluate each other's work

6. Peer conferences and/or joint staff preparation time

7. Participation in curriculum development projects
   (cf. 6141 - Curriculum Development and Evaluation)

8. Participation in educational research or innovation efforts

9. Assistance from or service as a mentor teacher or consulting teacher
   (cf. 4112.21 - Interns)
   (cf. 4131.1 - Beginning Teacher Support/Induction)
   (cf. 4138 - Mentor Teachers)
   (cf. 4139 - Peer Assistance and Review)

10. Service in a leadership role in a professional organization

11. Discussions and/or internships with business and community agencies for the purpose of identifying the skills, knowledge, and aptitudes necessary for specific career paths and developing meaningful career-related, work-based learning experiences
    (cf. 1700 - Relations Between Private Industry and the Schools)

12. Travel, study, and research in subject-matter content and effective educational practices
    (cf. 4161.3 - Professional Leaves)

13. Follow-up activities that help staff to implement newly acquired skills

**PERSONNEL** **AR 4131**

**STAFF DEVELOPMENT (continued)**

The Superintendent or designee shall approve the participation of individual staff members in district-provided or external staff development activities which may require release time, leave of absence, or other district resources.

(10/98 7/05) 11/06

Date Adopted: August 6, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4136**

## NONSCHOOL EMPLOYMENT

### Nonschool Employment

In order to help maintain public trust in the integrity of district operations, the Governing Board expects all employees to give the responsibility of their positions precedence over any other outside employment. A district employee may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to his/her district duties.
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9270 - Conflict of Interest)

An outside activity shall be considered inconsistent, incompatible, or inimical to district employment when such activity: (GC 1126)

1. Requires time periods that interfere with the proper, efficient discharge of the employee's duties

2. Entails compensation from an outside source for activities which are part of the employee's regular duties

3. Involves using the district's name, prestige, time, facilities, equipment, or supplies for private gain

4. Involves service which will be wholly or in part subject to the approval or control of another district employee or Board member
   (cf. 1321 - Solicitation of Funds from and by Students)
   (cf. 3300 - Expenditures and Purchases)
   (cf. 4040 - Employee Use of Technology)
   (cf. 4132/4232/4332 - Publication or Creation of Materials)
   (cf. 4135/4235/4335 - Soliciting and Selling)
   (cf. 6161.1 - Selection and Evaluation of Instructional Materials)

An employee wishing to accept outside employment that may be inconsistent, incompatible, in conflict with, or inimical to the employee's duties shall file a written request with his/her immediate supervisor describing the nature of the employment and the time required. The supervisor shall evaluate each request based on the employee's specific duties within the district and determine whether to grant authorization for such employment.
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

The supervisor shall inform the employee whether the outside employment is prohibited. The employee may appeal a supervisor's denial of authorization to the Superintendent or designee. An employee who continues to pursue a prohibited activity may be subject to disciplinary action.
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)
(cf. 4144/4244/4344 - Complaints)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## NONSCHOOL EMPLOYMENT (con't)

Tutoring

A certificated employee shall not accept any compensation or other benefit outside of district established programs for tutoring a student enrolled in his/her class(es). An employee who wishes to tutor another district student shall first request authorization from his/her supervisor in accordance with this Board policy. If authorization is granted, the employee shall not use district facilities, equipment, or supplies when providing the tutoring service.

Legal Reference:
EDUCATION CODE
35160 Authority of governing boards
35160.1 Broad authority of school districts
51520 Prohibited solicitation on school premises
GOVERNMENT CODE
1126 Incompatible activities of employees
1127 Incompatible activities; off duty work
1128 Incompatible activities, attorney
CODE OF REGULATIONS, TITLE 5
80334 Unauthorized private gain or advantage
ATTORNEY GENERAL OPINIONS
70 Ops.Cal.Atty.Gen. 157 (1987)

Management Resources:
WEB SITES
CSBA: http://www.csba.org
Fair Political Practices Commission: http://www.fppc.ca.gov

Date Adopted: September 1, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4136.7**

## CERTIFICATED DAYS OUT OF THE CLASSROOM

The Governing Board recognizes the benefits of staff development for teachers, but also recognizes that a student's education depends upon the continuity of the teacher in the classroom. It is the district's policy to allow a maximum of 10 days out of the classroom per school year for approved school business. At the beginning of each school year, teachers are required to identify the days they will be out of the classroom. Some adjustment to the list of 10 days may need to be made after initial submission of the list. The following definitions are written to clarify what constitutes and does not constitute approved school business:

1. Activities Designated as Approved School Business

   Approved School Business is defined as staff development inservices, committee work, teacher visitation, and/or other activities designed to improve the skills of the employee.

   District-driven staff development shall be given priority and consideration before any commitment to attending or presenting for outside organizations.

   These activities shall have approval of the site administrator with three weeks advance notice:

   A. Conference Attendance

      Authorization is given through the process of submitting a Conference Attendance Request Form. In filling out the Conference Attendance Request Form, approval must be received from the site administrator, as well as from the person with budget responsibility for the costs associated with the conference, including the cost of the substitute prior to attending the event.

   B. Teacher Visitation

      Peer coaching and classroom visitations are encouraged. Teachers should discuss this opportunity with their site administrator. The site administrator is the person responsible for authorizing time for teachers to visit and observe other teachers either at their own site or at other sites. The site administrator must also cover the associated substitute costs. If the visitation is for a half day or less, the time is not included in the 10 day total.

   C. Committee Involvement

      Committee work is important for the functionality of the district and its departments. Site administrator authorization is required for this time out of the classroom. If the committee work is for a half day or less, the time is not included in the 10 day total.

**PERSONNEL** **BP 4136.7**

**CERTIFICATED DAYS OUT OF THE CLASSROOM (continued)**

D. Employees Providing Staff Development -- Within the District

The Governing Board recognizes that district employees may be asked to present in the area of their expertise for district staff development. These days out of the classroom may be considered approved school business within the following guidelines:

1) If the days spent presenting within the district are within the ten (10) days allowable, the district shall pay for the cost associated with securing a substitute.

2) All requests made to teachers to present must be initiated by the Director of Instructional Services.

3) Presenting teachers shall be paid for their preparation time according to contract guidelines.

E. Employees Providing Staff Development -- Outside the District

The Governing Board recognizes that district employees may be asked to present in the area of their expertise for districts or agencies outside Enterprise Elementary School District. These days out of the classroom may be considered as approved school business within the following guidelines:

1) The days requested are within the employee's allowable ten days out of the classroom and the employee has by now given priority to district driven staff development opportunities.

2) All requests must be submitted to the site administrator with a three week advance notice. Within a week, administrators will respond with approval or disapproval of the request.

3) The Enterprise Elementary School District shall be reimbursed for the cost associated with securing a substitute.

4) Activities are incompatible with district employment if they require time periods that interfere with the proper, efficient discharge of the employee's duties; if they entail compensation from an outside source; if it involves district duty time; or if they involve using, for private gain, the district's name, prestige, time, facilities, equipment, or supplies.

**PERSONNEL** **BP 4136.7**

**CERTIFICATED DAYS OUT OF THE CLASSROOM (continued)**

2. Activities Not Designated as Approved School Business

A. Days out of the classroom beyond the 10 day maximum allowed

The following guidelines will apply to these days:

1) Any request for leave to present to an outside organization, when the leave would not otherwise be permitted as approved school business or personal leave days, must be approved three weeks in advance by the superintendent or designee and the days shall be unpaid by Enterprise Elementary School District.

2) Reimbursement for the cost of the substitute shall be given to the District Business Services Department for deposit.

*Legal Reference:*
*GOVERNMENT CODE*
*1126 Incompatible activities of employees*

Board Adopted: January 4, 2006
Date Revised: January 10, 2007

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4140**

## BARGAINING UNITS

The Governing Board recognizes the right of district employees to form a bargaining unit, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.
(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 9000 - Role of the Board)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (GC 3543.5)

Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (GC 3545)

The district may recognize a bargaining unit of supervisory employees if: (GC 3545)

1. The bargaining unit includes all supervisory employees.

2. The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.
   (cf. 4300 - Administrative and Supervisory Personnel)
   (cf. 4301 - Administrative Staff Organization)
   (cf. 4312.1 - Contracts)

For this purpose, supervisory employee means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be merely routine or clerical in nature, but shall require the use of independent judgment. (GC 3540.1)

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves individually or may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. When represented by an employee organization, that organization shall not meet and negotiate with the district. For this purpose: (GC 3540.1, 3543.4)

**BARGAINING UNITS (continued)**

1. Management employee means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.

2. Confidential employee means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Membership

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (GC 3543.5, 3550)
(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (GC 3553)

Access to Employee Orientations and Contact Information

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an

**BARGAINING UNITS (continued)**

orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. (GC 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (GC 3556, 3557)

The date, time, and place of the orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. (GC 3556)

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers on file with the district, personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire (or by a mutually agreed-upon alternative schedule). In addition, the Superintendent or designee shall provide the same information in regard to all employees in the bargaining unit to an exclusive representative at least every 120 days (or by a mutually agreed-upon alternative schedule), unless more frequent or detailed lists are required by agreement with the exclusive representative. (GC 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor shall he/she disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code 6207 or any employee who provides written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. (GC 3558, 6207, 6254.3)
(cf. 1340 - Access to District Records)

**PERSONNEL** **BP 4140**

**BARGAINING UNITS (continued)**

Membership Dues or Other Payments to an Employee Organization

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount which has been requested by the employee in a revocable written authorization for the purpose of paying dues or other payments for any service, program, or committee provided or sponsored by the employee organization. (EC 45060, 45168)

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The District will provide employee organizations with a monthly deadline for payroll deductions. The employee organization shall not be required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. (EC 45060, 45168)

When an employee organization which has declined to certify that it will handle and process employee written authorizations makes a request for payroll deductions, the district shall request a copy of the employee's written authorization before making the payroll deductions. (EC 45060, 45168)

A written authorization shall remain in effect until expressly revoked in writing by the employee and pursuant to the terms of the written authorization. Employee requests to cancel or change authorizations for payroll deductions for employee organizations shall be directed to the employee organization rather than the district. The employee organization shall be responsible for processing these requests. The district shall rely on the information provided by the employee organization regarding whether deductions for an employee organization were properly canceled or changed. The employee organization shall be required to indemnify the district for any claims made by an employee for deductions made by the district in reliance on information from the employee organization. (EC 45060, 45168)

**BARGAINING UNITS (continued)**

Legal Reference:
EDUCATION CODE
45060-45061.5 Deduction of fees from salary or wage payment, certificated employees
45100.5 Senior management positions
45104.5 Abolishment of senior classified management positions
45108.5 Definition of senior classified management employees
45108.7 Waiver of provisions of 45108.5
45168 Deduction of fees from salary or wage payment, classified employees
45220-45320 Merit system, classified employees
GOVERNMENT CODE
3540-3549.3 Educational Employment Relations Act, especially:
3540.1 Definitions
3543.4 Management position; representation
3545 Appropriateness of unit; basis
3550-3552 Prohibition on public employers deterring or discouraging union membership
3555-3559 Public employee communication, information and orientation
6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
6254.3 Disclosure of employee contact information to employee organization
6503.5 Joint powers agencies
53260-53264 Employment contracts
CODE OF REGULATIONS, TITLE 8
33015-33490 Recognition of exclusive representative; proceedings
33700-33710 Severance of established unit
34020 Petition to rescind organizational security arrangement
34055 Reinstatement of organizational security arrangement
COURT DECISIONS
Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138 S.Ct. 2448
Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083
County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905

Management Resources:
WEB SITES
CSBA: http://www.csba.org
Association of California School Administrators: http://www.acsa.org
California Federation of Teachers: http://www.cft.org
California School Employees Association: http://www.csea.com
California Teachers Association: http://www.cta.org
Public Employment Relations Board: http://www.perb.ca.gov

(11/11 10/17) 7/18

Date Adopted: March 6, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4143.1**

## PUBLIC NOTICE-PERSONNEL NEGOTIATIONS

Because the Governing Board has a responsibility to represent the public's interest in negotiations with employee organizations, the Board is committed to keeping the public informed about issues being negotiated, providing members of the public an opportunity to express their views, and disclosing the position of each Board member in accordance with law.

### Public Notice/Sunshining of Initial Proposals

All initial contract proposals of the Board and an employee organization, which relate to matters within the scope of representation, shall be presented at a public Board meeting and shall thereafter be public records. (GC 3547)

Meeting and negotiating between district and employee organization representatives shall not take place on these initial proposals until a reasonable time has elapsed after the submission of these proposals to enable the public to become informed and to express itself regarding the proposals at a public Board meeting. (GC 3547)

After the public has had an opportunity to provide input, the Board shall adopt its initial proposal at a public meeting. (GC 3547)

New subjects of meeting and negotiating arising after the presentation of initial proposals shall be made public within 24 hours. If a vote is taken on any such subject by the Board, each Board member's vote also shall be made public within 24 hours. (GC 3547)

### Public Disclosure of Proposed Agreement

Before entering into a written agreement covering matters within the scope of representation, the Board shall disclose, at a public meeting, the major provisions of the agreement, including, but not limited to, the costs that would be incurred by the district under the agreement for the current and subsequent fiscal years. (GC 3547.5)

The Superintendent and chief business official shall certify, in writing, that any costs incurred by the district under the agreement can be met by the district during the term of the agreement and shall submit the certification to the Board prior to the Board's approval of the agreement. The certification shall itemize any budget revision necessary to meet the costs of the agreement in each year of its term. (GC 3547.5)

**PUBLIC NOTICE-PERSONNEL NEGOTIATIONS (CONTINUED)**

A copy of the proposed agreement shall be made available to the public prior to the day of the Board meeting.

The Superintendent or designee shall prepare a summary of the major provisions and changes in the proposed agreement.

Date Adopted: January 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4143.1**

## PUBLIC NOTICE - PERSONNEL NEGOTIATIONS

### Public Disclosure of Proposed Agreement

The Superintendent or designee shall prepare a summary of the proposed agreement, which shall include, but may not necessarily be limited to:

1. Major provisions of the agreement that affect compensation, such as:
    a. Direct increases in salaries and percentage change in on-schedule salaries
    b. Changes in health and welfare benefits
    c. Changes in health and welfare benefit dollar contributions by the district
    d. Changes in step and column or longevity provisions
    e. Changes in overtime, differential, callback, and standby pay provisions
    f. Changes in staffing ratios
    g. One-time bonuses or off-the-schedule increases
2. Other provisions that will result in increased costs to the district even if they do not involve an increase in employee compensation, such as class-size reduction or increased number of staff development days
3. Costs of the proposed agreement, for the current and subsequent fiscal years, categorized for salaries, benefits, other compensation, and other noncompensation costs, including percentage increase of total compensation (salaries, benefits, and other compensation provisions) for the average represented employee as a result of the agreement and the approximate cost to the district of providing a one percent increase in total compensation
4. Proposed source(s) of funding for the current and subsequent fiscal years including the assumptions used to determine available resources to meet the obligations of the proposed agreement
5. Other major provisions that do not directly affect the district's costs, such as binding arbitration or grievance procedures.

Date Adopted: January 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4144**

## COMPLAINTS—PROCESS FOR EMPLOYEES

The Governing Board recognizes the need for providing employees with a complaint process which falls outside the scope of negotiated employee grievance procedures.

The Board expects that employees and supervisors will make every effort to resolve employee complaints and disagreements informally before resorting to formal complaint procedures.

The Superintendent or designee shall establish complaint procedures which allow employees to appeal to the Board.

The Board prohibits retaliation against complainants. The Superintendent or designee may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint.
(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

All matters related to a complaint shall be kept confidential and any document, communication, or record regarding the complaint shall be placed in a separate file and shall not be placed in an employee's personnel file.
(cf. 4112.6/4212.6/4312.6 - Personnel Records)

*Legal Reference:*
*EDUCATION CODE*
*200-262.4 Prohibition of discrimination on the basis of sex*
*35186 Williams uniform complaint procedures*
*44110-44114 Reporting by school employees of improper governmental activity*
*GOVERNMENT CODE*
*3543 Public school employees' rights*
*3543.1 Rights of employee organizations*
53296-53299 Disclosure of confidential information; whistleblower
54957 Closed session; personnel matters
*LABOR CODE*
*1102.5-1106 Whistleblower protections*
*CODE OF REGULATIONS, TITLE 5*
*4900-4965 Nondiscrimination in district programs and activities*
*Management Resources:*
*WEB SITES*
*CSBA: http://www.csba.org*

Board Adopted: January 4, 2006
Date Revised: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4144**

## COMPLAINTS—PROCESS FOR EMPLOYEES

The following guidelines shall prescribe the manner in which employee complaints are handled:

1. A "complaint" shall be defined as an alleged misapplication of the district's policies, regulations, and procedures or reasonable conduct. Procedures for the resolution of employee complaints provide a route of appeal through administrative channels and to the Governing Board, if necessary. If the complaint is related to discrimination, the district's procedure for complaints concerning discrimination should be used.
   (cf. 4030 - Nondiscrimination in Employment-*EESD*)

2. Complaints should be made directly to the offending employee's immediate supervisor. If the complaint is with the supervisor, then the complaint would go to the next supervisory level up and/or the Governing Board, if necessary.

3. If a complaint involves sexual harassment, the employee is not required to resolve sexual harassment complaints with the offending person.
   (cf. 4620 – Sexual Harassment-*EESD*)

4. So as not to interfere with school schedules, meetings related to a complaint shall be held before or after the complainant's regular working hours.

5. All matters related to a complaint shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint.

6. No reprisals shall be taken against any participant in the complaint procedure.

7. Time limits specified in these procedures may be reduced or extended in any specific instance by written mutual agreement of the parties involved. If specified or adjusted time limits expire, the complaint may proceed to the next step.

8. Any complaint not taken to the next step within prescribed time limits shall be considered settled on the basis of the answer given at the preceding step.

9. Complainant shall provide written information about an incident if informal processes have been exhausted.

Step 1

Employees are encouraged to resolve complaints informally. Formal complaint procedures shall not be initiated unless informal efforts to resolve the complaint have been exhausted and the complainant has provided a written description of such efforts.

**COMPLAINTS—PROCESS FOR EMPLOYEES (continued)**

Step 2

If a complaint has not been satisfactorily resolved at Step 1, the complainant may file a written complaint with the immediate or appropriate supervisor within sixty (60) days of the act or event which is the subject of the complaint.

Within five (5) working days of receiving the complaint, the immediate or appropriate supervisor shall begin an investigation and meet with the complainant in an effort to resolve the complaint.

The immediate or appropriate supervisor shall present all concerned parties with a written answer to the complaint within ten (10) working days after the initial meeting.

Step 3

If a complaint has not been satisfactorily resolved at Step 2, the complainant may file the written complaint with the Superintendent or designee within five (5) working days of receiving the answer at Step 2. All information presented at Step 2 shall be included with the complaint and the immediate or appropriate supervisor shall submit to the Superintendent or designee a report describing attempts to resolve the complaint at Step 2.

Within five (5) working days of receiving the complaint, the Superintendent or designee shall begin an investigation and meet with the complainant in an effort to resolve the complaint.

The Superintendent or designee shall present all concerned parties with a written answer to the complaint within ten (10) working days after the meeting.

Step 4

If a complaint has not been satisfactorily resolved at Step 3, the complainant may file a written appeal to the Board within five (5) working days of receiving the answer at Step 3. All information presented at Steps 1, 2, and 3 shall be included with the appeal, and the Superintendent or designee shall submit to the Board a report describing attempts to resolve the complaint at Step 3.

**COMPLAINTS—PROCESS FOR EMPLOYEES (continued)**

An appeal hearing shall be held at the next regularly scheduled Board meeting which falls at least 12 days after the appeal is filed. This hearing shall be held in closed session if the complaint relates to matters properly addressed in closed session.
(cf. 9321 - Closed Sessions and 9322 Agenda/Meeting Materials *[EESD]*)

The Board shall make its decision within thirty (30) days of the hearing and shall mail its decision to all concerned parties. The Board's decision shall be final.

Board Adopted: January 4, 2006
Date Revised: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4151**

## EMPLOYEE COMPENSATION

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package that includes salaries and health and welfare benefits.

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel that comply with law and applicable collective bargaining agreements. (Education Code 45022, 45160, 45162, 45268)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for education level and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

The salary schedules adopted by the Board shall be printed and made available for review at the district office. (Education Code 45023)

Additionally, by January 31, 2026, and annually thereafter, the Superintendent or designee shall complete the Salary and Benefit Schedule for Bargaining Units (Form J-90) for classified and certificated staff assigned to a district school site and report the Form J-90 to the California Department of Education. (Education Code 42238.016)

Unless otherwise provided for in any applicable collective bargaining agreement, district eleven month employees shall be paid monthly in eleven (11) equal payments over the fiscal year. Eleven month employees may elect to participate in a defer check program. Withholdings through the defer program shall be paid to the employee on/or before June 30th of the fiscal year. District twelve month employees shall be paid monthly in twelve (12) equal payments. (Education Code 45038, 45039, 45048, 45165,)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

### Time Reporting

District employees shall submit a timecard monthly. The employee shall see the deduction and/or payment on the following month's payment. Employees may correct a timecard submission within 30 days from date worked. Corrections beyond one timecard period shall only be made with approval of the Superintendent or designee within collective bargaining unit guidelines.

## EMPLOYEE COMPENSATION (continued)

### Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day and/or 40 hours in one work week. However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules. (Education Code 45128, 45130; 29 USC 213; 29 CFR 541.204, 541.303, 541.600 , 553.27, 553.32)

If the district requires a classified employee in an exempt position to work on a holiday designated in law or by the Board, the employee shall be paid the regular pay for that day plus compensation or compensatory time off at a rate not less than the employee's normal rate of pay. (Education Code 45130)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has compensatory time shall be allowed to use such time within the current fiscal year, rollover time upon approval per the collective bargaining agreement, or have the time paid out in their June payment. . (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25) Compensatory time shall be reported on the regular monthly timecard.
For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

### Wage Overpayment

If the district determines an employee has been overpaid, the district shall notify the employee in writing of the overpayment, afford the employee an opportunity to respond before commencing any recoupment actions, and inform the employee of the employee's rights to dispute the existence or amount of the claimed overpayment. If the employee agrees there was an overpayment in the claimed amount, reimbursement shall be made to the district through one of the methods described in Education Code 44042.5, as mutually agreed upon by the employee and the district. (Education Code 44042.5)

If a mutual agreement on a method of reimbursement is not reached, within 30 days of the employee verifying the overpayment amount, the district shall recoup the overpayment through payroll deductions in accordance with Education Code 44042.5.

If the employee separates from the district before the overpayment is fully repaid, the district shall withhold the remaining balance due from any money owed to the employee upon separation, provided that the state minimum wage is still paid to the employee as required by Education Code 44042.5. The Superintendent or designee may consult with legal counsel to calculate the amount to withhold.

**EMPLOYEE COMPENSATION (continued)**

If an outstanding overpayment balance still remains, the district may exercise any legal means to recover the remaining amount owed by the employee. (Education Code 44042.5)

Legal action to recover any overpayment under this policy shall be initiated within three years from the date of the overpayment, which for leave credits is the date that the employee receives compensation in exchange for leave erroneously credited to the employee. (Education Code 44042.5)

Date Adopted: May 28, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4156.2**

## AWARDS AND RECOGNITION

The Governing Board believes the District's employees are its most valuable resource and encourages recognition of the services they provide. They also recognize that the level of service to students is highly dependent upon the service of its employees. Individual contributions and service of excellence should be recognized on an individual basis as is deemed appropriate by the supervisor and staff where the individual is serving. Such recognition is encouraged by the Board of Education.

The Board authorizes awards to employees who:

1. Propose ideas or procedures which eliminate or reduce District expenditures or improve District operations

2. Perform special acts or services in the public interest

3. By their superior accomplishments, make exceptional contributions to the efficiency, economy, or other improvement in District operations

4. Have completed five or more years of service to the District.

The Governing board, Superintendent, or designee may issue service pins, certificates, plaques, or other mementos in accordance with Board policy and administrative regulations.

The employee will be recognized at a regularly scheduled Board meeting.

The Board of Education and individual school staffs may establish other forms of recognition as deemed appropriate on an individual basis.

Legal Reference:
*EDUCATION CODE*
*35160 Authority of governing boards*
*35160.1 Broad authority of school districts*
*35161 Powers and duties generally*
*44015 Awards to Employees*

Date Adopted: May 6, 1982
Date Revised: October 3, 2007

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4157**

## EMPLOYEE SAFETY

The Governing Board is committed to maximizing employee safety and believes that workplace safety is the responsibility of every employee. Working conditions and equipment shall comply with standards prescribed by federal, state, and local laws and regulations.

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402)

The Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions that may occur. If an employee is unable to correct an unsafe condition, the employee shall immediately report the problem to the Superintendent or designee.
The Superintendent or designee shall establish and implement a written injury and illness prevention program that includes a workplace violence prevention plan and that provides employees with access to such program in accordance with law. (Labor Code 6401.7; 8 CCR 3203)
The Superintendent or designee shall make first aid materials readily available at district workplaces and shall make effective provisions to prepare for prompt medical treatment in the event of an employee's serious injury or illness. (8 CCR 3400)

No employee shall be discharged or discriminated against for exercising any right regarding employee safety or health specified in Labor Code 6310, including:

1. Making a report or complaint
2. Instituting proceedings or causing proceedings to be instituted
3. Testifying with regard to employee safety or health
4. Participating in any occupational health and safety committee established pursuant to Labor Code 6401.7
5. Requesting access to injury or illness reports and records
6. Exercising any other right protected by the Occupational Safety and Health Act

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4157**

## EMPLOYEE SAFETY

The Superintendent or designee shall provide safety devices and implement safeguards, methods, and processes that are reasonably necessary for the safety and health of employees in the workplace. (Labor Code 6401)
If the Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) prohibits entry into any district workplace or performance of a district operation or process based on a determination that the workplace exposes employees to the risk of an imminent hazard, including a machine, device, apparatus, or equipment that is in a dangerous condition or is dangerously placed, the Superintendent or designee shall post a notice of the hazard provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the workplace, operation, or process is made safe, and the required safeguards, safety appliances, or devices are provided. (Labor Code 6325)

### Injury and Illness Prevention Program

The district's injury and illness prevention program shall cover all district employees and all other workers whom the district controls or directs and directly supervises on the job to the extent that the workers are exposed to hazards specific to their worksite and job assignment. The obligation of contractors or other employers who control or direct and supervise their own employees on the job shall not be affected by the district's injury and illness prevention program. (Labor Code 6401.7)

The district's injury and illness prevention program shall include: (Labor Code 6401.7; 8 CCR 3203)

1. The name/position of the person(s) with authority and responsibility for implementing the program

2. A system for ensuring that employees comply with safe and healthful work practices, which may include, but are not limited to:

    a. Recognition of employees who follow safe and healthful work practices

    b. Training and retraining programs

    c. Disciplinary actions

3. A system for communicating with employees in a form readily understandable by all employees on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but is not limited to:

**EMPLOYEE SAFETY (continued)**

a. Meetings

b. Training programs

c. Posting

d. Written communications

e. A system of anonymous notification by employees about hazards

f. A labor/management safety and health committee

4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:

   a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace

   b. Whenever the district is made aware of a new or previously unrecognized hazard

5. A procedure for investigating occupational injury or illness

6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered

   When an imminent hazard exists that cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition. Employees needed to correct the condition shall be provided with the necessary safeguards.

7. Provision of training and instruction as follows:

   a. To all new employees

   b. To all employees given new job assignments for which training has not previously been received

**EMPLOYEE SAFETY (continued)**

c. Whenever new substances, processes, procedures, or equipment are introduced into the workplace and represent a new hazard

d. Whenever the district is made aware of a new or previously unrecognized hazard

e. To supervisors, to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed

8. A written workplace violence prevention plan developed and implemented in accordance with Labor Code 6401.9 (Labor Code 6401.7)

   The plan, which shall be easily accessible to all employees at all times, shall be in effect at all times and in all work areas, and be specific to the hazards and corrective measures for each work area and operation. (Labor Code 6401.9)

   The Superintendent or designee shall provide training to all employees when the plan is first established and annually thereafter in accordance with Labor Code 6401.9. Training materials shall be appropriate in content and vocabulary to employees' educational level, literacy, and language. (Labor Code 6401.9)

The Superintendent or designee shall provide employees, or their representative designated pursuant to 8 CCR 3203, with either of the following: (8 CCR 3203)

1. Access to the district's injury and illness prevention program in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or a designated representative of the employee.

   When an employee or designated representative requests a copy of the district's injury and illness prevention program, the Superintendent or designee shall provide the requester a printed copy unless the employee or designated representative agrees to receive an electronic copy.

   The Superintendent or designee shall provide one printed copy free of charge. If the employee or designated representative requests additional copies within one year of the previous request and the district's injury and illness prevention program has not been updated with new information since the prior copy was provided, the district may charge reasonable reproduction costs pursuant to 8 CCR 3204 for the additional copies.

The Superintendent or designee shall communicate the right and procedure to access the district's injury and illness prevention program to all employees. (8 CCR 3203)

**EMPLOYEE SAFETY (continued)**

Labor/Management Safety and Health Committee
The district's labor/management safety and health committee shall: (8 CCR 3203)

1. Meet regularly, but not less than quarterly.

2. Prepare and make available to affected employees written records of the safety and health issues discussed at committee meetings and maintained for review by Cal/OSHA upon request. These records shall be maintained for at least one year.

3. Review results of the periodic, scheduled worksite inspections.

4. Review investigations of occupational accidents and causes of incidents resulting in occupational injury or illness or exposure to hazardous substances. As appropriate, the committee may submit suggestions to the Superintendent or designee regarding the prevention of future incidents.

5. Review investigations of alleged hazardous conditions brought to the attention of any committee member. When determined necessary by the committee, it may conduct its own inspection and investigation to assist in remedial solutions.

6. Submit recommendations to assist in the evaluation of employee safety suggestions.

7. Upon request of Cal/OSHA, verify abatement action taken by the district to abate citations issued by Cal/OSHA.

**Hearing Protection**

Whenever employee noise exposure equals or exceeds the standards specified by law, the Superintendent or designee shall implement a hearing conservation program in accordance with state and federal regulations, including, when required, monitoring of sound levels, audiogram evaluation and audiometric testing of affected employees, the provision of hearing protectors, and employee training. (8 CCR 5095-5100; 29 CFR 1910.95)

**Eye Safety Devices**
Employees shall wear eye safety devices whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause eye injury. (Education Code 32030-32034)

**First Aid and Medical Services**

The Superintendent or designee shall ensure the ready availability of medical personnel for advice

**EMPLOYEE SAFETY (continued)**

and consultation on matters of industrial health or injury. Whenever a district facility or district grounds are not in close proximity to an infirmary, clinic, or hospital where all injured employees may be treated, the Superintendent or designee shall ensure that at least one employee is adequately trained to provide first aid. (8 CCR 3400)

The Superintendent or designee shall make adequate first aid materials readily available for employees at every worksite. Such materials shall be approved by a consulting physician and shall be kept in a sanitary and usable condition. The Superintendent or designee shall frequently inspect all first aid materials and replenish them as necessary. (8 CCR 3400)

The Superintendent or designee shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body or any person may be exposed to injurious corrosive materials. (8 CCR 3400)
To avoid unnecessary delay in medical treatment in the event of an employee's serious injury or illness, the Superintendent or designee shall use one or more of the following: (8 CCR 3400)

1. A communication system for contacting a physician or emergency medical service, such as access to 911 or equivalent telephone system. The communication system or the employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.

**Protection from Communicable Diseases and Infections**
The Superintendent or designee shall develop an exposure control plan for bloodborne pathogens that is consistent with the district's injury and illness prevention program. The plan shall include a determination of which job classifications have occupational exposure to blood or other potentially infectious materials; precautions to be implemented, including universal precautions, engineering and work practice controls, and personal protective equipment; availability of the hepatitis B vaccination; provision of information and training to employees; and follow-up actions to be taken if exposure occurs. The district shall ensure that a copy of the exposure control plan is accessible to employees in accordance with law. (8 CCR 5193; 29 CFR 1910.1030)

Strategies to prevent and mitigate the outbreak or spread of infectious diseases shall be followed for diseases that are communicated through airborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. Such strategies shall include, but are not limited to, communication and training about the disease(s); campus closures and alternative means of instruction when necessary; preventative measures, such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law; and cleaning and sanitization of district facilities and equipment.

**PERSONNEL** **AR 4157**

**EMPLOYEE SAFETY (continued)**

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4158**

## EMPLOYEE SECURITY

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

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with Administrative Regulation 3515.2 - Disruptions.

Any employee against whom harassment, violence, or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order (TRO) on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Additionally, a collective bargaining representative may seek a TRO on behalf of a district employee against whom harassment, violence, or credible threat of violence has been directed in the workplace, if the collective bargaining representative serves that employee in employment or labor matters at the employee's workplace. (Code of Civil Procedure 527.8)

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Government Code 12945.8 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not

**EMPLOYEE SECURITY (continued)**

limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

**Reporting of Injurious Objects**

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on district property or at a district related or school-sponsored activity. Employees shall exercise their best judgment as to the potential danger involved and do one of the following:

1. Confiscate the object and deliver it to the principal immediately

2. Immediately notify the principal or supervisor, who shall take appropriate action

3. Immediately call 911 and the principal or supervisor

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

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4158**

## EMPLOYEE SECURITY

An employee may use reasonable and necessary force for self-defense or defense of another person, to quell a disturbance threatening physical injury to others or damage to property, or to obtain possession of weapons or other dangerous objects within the control of a student. (EC 44807, 49001)
An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against the employee by a student or by any other individual in relation to the performance of the employee's duties, and any action the employee took in response.

Additionally, the employee and the principal or other immediate supervisor shall promptly report to local law enforcement authorities an attack, assault, or physical threat made against the employee by a student. Reports of an attack, assault, or physical threat shall be forwarded immediately to the Superintendent or designee. (EC 44014)

### Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

1. Acts That Are Grounds for Suspension or Expulsion
    a. The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process (EC 49079)

       This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (EC 49079)
    b. Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion (EC 48201)

    c. Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher (EC 48201, 49079)

2. Offenses Reported to the District by a Court

    a. When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol,

**EMPLOYEE SECURITY (continued)**

drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal or designee (Welfare and Institutions Code 827)

b. The principal or designee shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal or designee thinks may need the information in order to work with the student appropriately, to avoid being needlessly vulnerable, or to protect others from vulnerability (Welfare and Institutions Code 827)

c. Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff (Welfare and Institutions Code 827)

   The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

d. When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district (Welfare and Institutions Code 827)

   If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

e. Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

**EMPLOYEE SECURITY (continued)**

**Accommodations for Victims of Domestic Violence, Sexual Assault, Stalking, or Other Qualifying Acts of Violence**

When requested by an employee who is a victim of domestic violence, sexual assault, stalking, or other qualifying acts of violence, the district shall provide the employee reasonable accommodations which may include the implementation of safety measures, including, but not limited to: (GC 12945.8)

1. A transfer, reassignment, or modified schedule
2. A changed work telephone or work station, including the permission to carry a telephone at work
3. An installed lock
4. Assistance in documenting domestic violence, sexual assault, stalking, or other qualifying act of violence that occurs in the workplace
5. Referral to a victim assistance organization
6. Another safety procedure or adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other qualifying act of violence

The Superintendent or designee shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations that do not pose an undue hardship on the district. In determining whether an accommodation is reasonable, the Superintendent or designee shall consider any exigent circumstance or danger facing the employee or their family member. (GC 12945.8)

Upon the request of the Superintendent or designee, an employee requesting a reasonable accommodation shall provide a written statement, signed by the employee or an individual acting on the employee's behalf, certifying that the accommodation is for an authorized purpose. The Superintendent or designee may also request that the employee provide certification of the employee's status as a victim of domestic violence, sexual assault, stalking, or other qualifying act of violence. Such certification may include: (GC 12945.8)

1. A police report indicating that the employee, or a family member of the employee, was a victim

**EMPLOYEE SECURITY (continued)**

2. A court order protecting or separating the employee, or family member of the employee, from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court

3. Documentation from a licensed medical professional or health care provider, domestic violence or sexual assault counselor, victim advocate, or counselor that the employee, or family member of the employee, was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse

4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf

Any verbal or written statement, police or court record, or other documentation identifying an employee, or a family member of the employee, as a victim shall be confidential and shall not be disclosed by the district except as required by federal or state law or as necessary to protect the employee's safety in the workplace. The employee shall be notified before any authorized disclosure. (Government Code 12945.8)

Every six months after the date of the certification, the Superintendent or designee may request recertification of the employee's status as a victim of domestic violence, sexual assault, stalking, other specified offense, or ongoing circumstances related to the crime or abuse. The employee shall notify the Superintendent or designee if, due to changing circumstances, the employee needs a new accommodation or no longer needs an accommodation. If a new accommodation is needed, the Superintendent or designee shall follow the procedures described above when making the initial determination regarding effective reasonable accommodations. (Government Code 12945.8)

The district shall not discharge or retaliate against an employee because of the employee's status as a victim of crime or abuse or for requesting a reasonable accommodation, regardless of whether the request was granted. (Government Code 12945.8)

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4161**

## LEAVES

The Governing Board shall provide for paid and unpaid employee leaves of absence for employees in accordance with law, Board policy, administrative regulation, collective bargaining agreements, and merit system rules, as applicable.
(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

The Board recognizes the following justifiable reasons for employee absence:

1. Personal illness or injury
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

2. Industrial accident or illness
(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

3. Family care and medical leave

4. Military service
(cf. 4161.5/4261.5/4361.5 - Military Leave)

5. Personal necessity and personal emergencies
(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

6. Disability Leave for certificated employees in accordance with Education Code 44986

7. Vacations for classified staff and certificated management staff, as applicable

8. Sabbaticals for purposes of study or training related to the employee's job duties
(cf. 4161.3 - Professional Leaves)
(cf. 4261.3 - Professional Leaves)

9. Attendance at work-related meetings and staff development opportunities
(cf. 4131, 4231, 4331 - Staff Development)

10. Compulsory leave
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

**LEAVES (continued)**

Long-Term Leaves

With Board approval, employees may receive a leave of absence without pay and without accruing seniority or service credit for a period of up to one school year. Applications for long-term leave shall be made in writing and shall state the purpose for which the leave is requested. All long-term leave agreements shall be in writing and shall state the terms and conditions of the leave, including the conditions governing the employee's return.

At the end of a long-term leave, unless otherwise agreed, the employee shall be reinstated to a similar as that held at the time leave was granted.

The Board shall consider any written request by an employee to return to work prior to the expiration date of the leave.

Administrative and Supervisory Personnel

Certificated administrative and supervisory employees who are not subject to the district's bargaining agreement for certificated employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other certificated employees unless otherwise specified in individual contract, memorandums of understanding, Board policy, administrative regulation, or law.

Classified administrative and supervisory employees who are not subject to the district's bargaining agreement for classified employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other classified employees unless otherwise specified in individual contract, memoranda of understanding, Board policy, administrative regulation, or law.

(cf. 2121 - Superintendent's Contract)
(cf. 4300 - Administrative and Supervisory Personnel)
(cf. 4312.1 - Contracts)

## LEAVES (continued)

Legal Reference:
*EDUCATION CODE*
*22850-22856 Pension benefits, STRS members on military leave*
*44018 Compensation for employees on active military duty*
*44036-44037 Leaves of absence for judicial and official appearances*
*44043.5 Catastrophic leave*
*44800 Effect of active military service on status of employees*
*44842 Failure to provide notice or to report to work*
*44940 Sex offenses and narcotic offenses; compulsory leave of absence*
*44962-44988 Leaves of absence (certificated)*
*45059 Employee ordered to active military/naval duty, computation of salary*
*45190-45210 Leaves of absence (classified)*
*FAMILY CODE*
*297-297.5 Registered domestic partner rights, protections and benefits*
*GOVERNMENT CODE*
*3543.1 Release time for representatives of employee organizations*
*3543.2 Scope of representation*
*12945.1-12945.2 California Family Rights Act*
*20990-21013 Pension benefits, PERS members on military leave*
*LABOR CODE*
*230-230.2 Leaves for victims of domestic violence, sexual assault or specified felonies*
*230.3 Leave for emergency personnel*
*230.4 Leave for volunteer firefighters*
*230.8 Leave to visit child's school*
*233 Illness of child, parent, spouse or domestic partner*
*MILITARY AND VETERANS CODE*
*395-395.9 Military leave*
*395.10 Leave when spouse on leave from military deployment*
*UNITED STATES CODE, TITLE 29*
*2601-2654 Family and Medical Leave Act of 1993*
*UNITED STATES CODE, TITLE 38*
*4301-4334 Uniformed Services Employment and Reemployment Rights Act of 1994*

(12/88 10/98) 07/08

Date Adopted: February 21, 1980
Date Revised: June 14, 2006, September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4161**

## LEAVES

Failure to Return to Service After Leaves

In the case of a certificated employee who was on leave of absence for 20 or more consecutive working days after April 30 of the previous school year, the district may terminate the employment of such an employee if all of the following circumstances exist: (EC 44842)

1. The employee fails to report for duty, without good cause, at the beginning of the school year after having notified the Governing Board of his/her intention to remain in service with the district in accordance with Education Code 44842.

2. The district had specifically notified the employee, at least five days in advance, of the time and place at which the employee was to report to work.

3. The employee did not request or was not granted a leave of absence authorized by the Board.
(cf. 4112.1 - Contracts)

In any such case, the district may terminate the employee's employment on the day following 20 consecutive days of absence. (EC 44842)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

Use of Leaves by Classified Employees

A classified employee may interrupt or terminate vacation leave in order to begin another type of paid leave without a return to active service, as long as the employee provides adequate notice and relevant supporting information regarding the basis for such interruption or termination. (EC 45200)

(12/88 10/98) 7/08

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**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4161.1**

## PERSONAL ILLNESS/INJURY LEAVE

Certificated employees employed five school days per week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave) per school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employees who are entitled to less than three days of paid sick leave per year due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if they are eligible. (EC 44978; Labor Code 245-249)
(cf. 4161/4261/4361 - Leaves)
(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

### Use of Sick Leave

Certificated employees may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of and in the course of employment; quarantine which results from contact in the course of employment with other persons having a contagious disease; or temporary inability to perform assigned duties because of illness, accident, or quarantine (EC 44964)
   (cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery (EC 44965, 44978)
   (cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity (EC 44981)
   (cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical and dental appointments, in increments of 15 minutes.

5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (EC 44984)
   (cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

6. Need of the employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (EC 44977.5; GC 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

7. Need of the employee or employee's family member, as defined in Labor Code 245.5 and/or the collective bargaining agreement, for the diagnosis, care, or treatment of an existing health condition or for preventive care (LC 233, 246.5)

**PERSONAL ILLNESS/INJURY LEAVE (continued)**

8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or the employee's child, when the employee has been a victim of domestic violence, sexual assault, or stalking (LC 233, 246.5)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (EC 44978)

An employee shall reimburse the district for any unearned sick leave used as of the date of termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (EC 44978)

The district shall not require new employees to waive leave accumulated in a previous district. (EC 44979, 44980)

Any certificated employee who leaves the district after at least one school year of employment that accepts a certificated position in another district, county office of education, or community college district within one year, the employee may request that the district transfer any accumulated sick leave to the new employer. (EC 44979, 44980)

**Additional Leave for Disabled Military Veterans**

In addition to any other entitlement for sick leave with pay, a certificated employee who is a former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment, including mental health treatment, for a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs. An eligible employee who works less than five days per week shall be entitled to such leave in proportion to the time worked. (EC 44978.2)

The amount of leave shall be credited to the employee either on the date the employee receives confirmation of the submission of the disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives the disability rating decision, the employee shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 10-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the

**PERSONAL ILLNESS/INJURY LEAVE (continued)**

district may change the sick leave time used before the disability rating decision to an alternative leave balance. (EC 44978.2)

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (EC 44978.2)

### Notification of Absence

An employee shall notify the district of the need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which the employee intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.
(cf. 4121 - Temporary/Substitute Personnel)

### Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or accident, continues to be absent for an additional period of up to five school months, the district shall deduct from the employee's regular salary for that period the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. (EC 44977)

An employee shall not be provided more than one five-month period per illness or accident. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (EC 44977)

### Absence Beyond Five-Month Period/Reemployment List

If a certificated employee is not medically able to return to work after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position

## PERSONAL ILLNESS/INJURY LEAVE (continued)

or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, the employee shall be returned to employment in a position for which the employee is credentialed and qualified. (EC 44978.1)
(cf. 4116 - Probationary/Permanent Status)

### Parental Leave

During each school year, a certificated employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period of up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (EC 44977.5)

The certificated employee must have been an employee for at least 12 months. Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (EC 44977.5)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay of at least 50 percent of the employee's regular salary for the remainder of the 12 work weeks. (EC 44977.5)

Parental leave taken pursuant to Education Code 44977.5 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (EC 44977.5; GC 12945.2, 12945.6)

### Verification Requirements

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

**PERSONNEL** **AR 4161.1**

**PERSONAL ILLNESS/INJURY LEAVE (continued)**

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information. Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from a physician stating that the employee is able to return to duty and stipulating any necessary restrictions or limitations.
(cf. 4032 - Reasonable Accommodation)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

## Healthy Workplaces, Healthy Families Act Requirements

Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference:
EDUCATION CODE
44964 Power to grant leave of absence in case of illness, accident, or quarantine
44965 Granting of leaves of absence for pregnancy and childbirth
44976 Transfer of leave rights when school is transferred to another district
44977 Salary deduction during absence from duties up to five months after sick leave is exhausted
44977.5 Differential pay during parental leave up to 12 weeks after sick leave is exhausted
44978 Provisions for sick leave of certificated employees
44978.1 Inability to return to duty; placement in another position or on reemployment list
44978.2 Leave for military service connected disability
44979 Transfer of accumulated sick leave to another district
44980 Transfer of accumulated sick leave to a county office of education
44981 Leave of absence for personal necessity
44983 Exception to sick leave when district adopts specific rule
44984 Industrial accident or illness
44986 Leave of absence for disability allowance applicant
GOVERNMENT CODE
12945.1-12945.2 California Family Rights Act
12945.6 Parental leave
LABOR CODE
220 Sections inapplicable to public employees
230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
233 Illness of child, parent, spouse or domestic partner
234 Absence control policy
245-249 Healthy Workplaces, Healthy Families Act of 2014
CODE OF REGULATIONS, TITLE 5
5601 Transfer of accumulated sick leave
UNITED STATES CODE, TITLE 29
2601-2654 Family and Medical Leave Act of 1993, as amended

## PERSONAL ILLNESS/INJURY LEAVE (continued)

UNITED STATES CODE, TITLE 42
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
CODE OF FEDERAL REGULATIONS, TITLE 29
825.100-825.702 Family and Medical Leave Act of 1993
1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008
COURT DECISIONS
Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

(3/17 3/18) 3/19

Date Adopted: October 2, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4161.2**

## PERSONAL LEAVES

Personal leaves granted to district employees shall be used as permitted in this administrative regulation, other Board-approved policy or district regulation, or applicable collective bargaining agreement.

For the purpose of any personal leave offered pursuant to state law, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5)

Whenever possible, employees shall request personal leaves in advance and prepare suitable instructions, including lesson plans as applicable, for a substitute employee.
(cf. 4121 - Temporary/Substitute Personnel)

Legal Duties

An employee may take time off work in order to: (LC 230)

1. Serve on an inquest jury or trial jury

2. Comply with a subpoena or other court order to appear as a witness

Notices, summons, and subpoenas for court appearances shall be submitted to the district office when requesting leave.

A classified employee called for jury duty shall be granted leave with pay up to the amount of the difference between his/her regular earnings and any amount received for jury fees. (EC 44037)

A certificated employee who is called for jury duty also shall be granted leave with pay up to the difference between his/her regular earnings and any jury fees he/she received.

Leaves for Crime Victims

An employee may be absent from work in order to attend judicial proceedings related to a crime when he/she is a victim, or an immediate family member, registered domestic partner, or child of a registered domestic partner of a victim, of any of the following crimes: (LC 230.2)

1. A violent felony as defined in Penal Code 667.5(c)

2. A serious felony as defined in Penal Code 1192.7(c)

3. A felony provision of law proscribing theft or embezzlement

**PERSONAL LEAVES (continued)**

For these purposes, the employee may use vacation, personal leave, personal illness/injury leave, unpaid leave, or compensatory time off that is otherwise available to the employee. (LC 230.2)

Prior to taking time off, an employee shall give his/her supervisor a copy of the notice of each scheduled proceeding that is provided by the responsible agency, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee shall, within a reasonable time after the absence, provide documentation evidencing the judicial proceeding from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim. (LC 230.2)

The district shall keep confidential any records pertaining to the employee's absence from work by reason of this leave. (LC 230.2)

Leaves for Victims of Domestic Violence, Sexual Assault and Stalking

An employee who is a victim of domestic violence, sexual assault, or stalking as defined by law may use vacation, sick leave, personal leave, or compensatory time off that is otherwise available to him/her under the terms of his/her employment to attend to the following activities: (LC 230, 230.1, 246.5)

1. Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the employee or his/her child

2. Seek medical attention for injuries caused by domestic violence, sexual assault, or stalking

3. Obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking

4. Obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking

5. Participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation

Prior to taking time off, an employee shall give reasonable notice to his/her supervisor, unless advance notice is not feasible. When an unscheduled absence occurs, the employee shall provide, within a reasonable period of time, certification of the absence in the form of any of the following: (LC 230, 230.1)

**PERSONAL LEAVES (continued)**

1. A police report indicating that the employee was a victim of domestic violence, sexual assault, or stalking

2. A court order protecting or separating the employee from the perpetrator of an act of domestic violence, sexual assault, or stalking, or other evidence from the court or prosecuting attorney that the employee has appeared in court

3. Documentation from a domestic violence or sexual assault counselor as defined in Evidence Code 1037.1 or 1035.2, licensed medical professional or health care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence, sexual assault, or stalking

The district shall maintain the confidentiality of such an employee to the extent authorized by law. (LC 230, 230.1)

Personal Leave for Child-Related Activities

Any employee who is a parent/guardian of one or more children of an age to attend any of grades K-12 or a program offered by a licensed child care provider may use up to 40 hours of personal leave, vacation, or compensatory time off each school year in order to: (LC 230.8)

1. Find, enroll, or reenroll his/her child in a school or with a licensed child care provider or to participate in activities of the school or child care provider, provided the employee gives reasonable advance notice of the absence. Time off for this purpose shall not exceed eight hours in any calendar month.

2. Address a school or child care emergency, provided the employee gives notice. An emergency exists when the child cannot remain in school or with a child care provider due to one of the following circumstances:

    a. A request by the school or child care provider that the child be picked up

    b. An attendance policy, excluding planned holidays, that prohibits the child from attending or requires that the child be picked up from the school or child care provider

    c. Behavioral or discipline problems

    d. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays

**PERSONAL LEAVES (continued)**

e. A natural disaster, including, but not limited to, fire, earthquake, or flood
(cf. 5148 - Child Care and Development)

For purposes of this leave, parent/guardian includes a parent, guardian, stepparent, foster parent, grandparent, or person who stands in loco parentis to a child. (LC 230.8)

In absence of vacation, personal leave, or compensatory time off, eligible employees may take unpaid leave for this purpose.

If two or more parent/guardian of a child are employed at the same work site, this leave shall be allowed for the parent/guardian who first gives notice to the district. Simultaneous absence by another parent/guardian of the child may be granted by the Superintendent or designee. (LC 230.8)

Upon request by the Superintendent or designee, the employee shall provide documentation from the school or licensed child care provider that he/she engaged in permitted child-related activities on a specific date and at a particular time. (LC 230.8)

Service on Education Boards and Committees

Upon request, a certificated employee shall be granted up to 20 school days of paid leave per school year for service performed within the state on any education board, commission, committee, or group authorized by EC 44987.3 provided that all of the following conditions are met: (EC 44987.3)

1. The service is performed within the state.

2. The board, commission, organization, or group informs the district in writing of the service.

3. The board, commission, organization, or group agrees, prior to the service, to reimburse the district, upon the district's request, for compensation paid to the employee's substitute and for actual related administrative costs.

Employee Organization Activities

Upon request, any certificated or classified employee shall be granted a leave of absence without loss of compensation to serve as an elected officer of a district employee organization or any statewide or national employee organization with which the employee organization is affiliated. The leave shall include, but is not limited to, absence for purposes of attending periodic, stated, special, or regular meetings of the body of the organization. (EC 44987, 45210)
(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4143/4243 - Negotiations)

**PERSONAL LEAVES (continued)**

Upon request of an employee organization in the district or its state or national affiliate, a reasonable number of unelected classified employees shall be granted a leave of absence without loss of compensation for the purpose of attending important organizational activities authorized by the organization. The employee organization shall provide reasonable notification to the Superintendent or designee when requesting a leave of absence for employees for this purpose. (EC 45210)

When leave is granted for any of the above purposes, the employee organization shall reimburse the district within 10 days after receiving the district's certification of payment of compensation to the employee. (EC 44987, 45210)

Religious Leave

The Superintendent or designee may grant an employee up to three days of leave per year for religious purposes, provided that the leave is requested in advance and that it does not cause additional district expenditures, the neglect of assigned duties, or any other unreasonable hardship on the district.

The Superintendent or designee shall deduct the cost of hiring a substitute, when required, from the wages of the employee who takes religious leave.

No employee shall be discriminated against for using this leave or any additional days of unpaid leave granted for religious observances at the discretion of the Superintendent or designee.

Spouse on Leave from Military Deployment

An employee who works an average of 20 hours or more per week and whose spouse is a member of the United States Armed Forces, National Guard, or reserves may take up to 10 days of unpaid leave during a period that his/her spouse is on leave from deployment during a military conflict, as defined in Military and Veterans Code 395.10. (Military and Veterans Code 395.10)

Within two business days of receiving official notice that his/her spouse will be on leave from deployment, the employee shall provide the Superintendent or designee with notice of his/her intention to take the leave. The employee shall submit written documentation certifying that his/her spouse will be on leave from deployment during the time that the leave is requested. (Military and Veterans Code 395.10)

Leave for Emergency Duty

An employee may take time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel. (LC 230.3)

**PERSONAL LEAVES (continued)**

Any employee who performs duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel shall be permitted to take temporary leaves of absence, not to exceed an aggregate total of 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training. (LC 230.4)

Civil Air Patrol Leave

An employee may take up to 10 days of unpaid leave per calendar year, beyond any leave otherwise available to him/her, to respond to an emergency operational mission of the California Civil Air Patrol, provided that the employee has been employed by the district for at least a 90-day period immediately preceding the leave. Such leaves shall not exceed three days for a single mission, unless an extension is granted by the governmental entity authorizing the mission and is approved by the Superintendent or designee. (LC 1501, 1503)

The employee shall give the district as much advance notice as possible of the intended dates of the leave. The Superintendent or designee may require certification from the proper Civil Air Patrol authority to verify the eligibility of the employee for the leave and may deny the leave if the employee fails to provide the required certification. (LC 1503)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4161.2**

**PERSONAL LEAVES (continued)**

Legal Reference:
*EDUCATION CODE*
*44036-44037 Leaves of absence for judicial and official appearances*
*44963 Power to grant leaves of absence (certificated)*
*44981 Leave of absence for personal necessity (certificated)*
*44985 Leave of absence due to death in immediate family (certificated)*
*44987 Service as officer of employee organization (certificated)*
*44987.3 Leave of absence to serve on certain boards, commissions, etc.*
*45190 Leaves of absence and vacations (classified)*
*45194 Bereavement leave of absence (classified)*
*45198 Effect of provisions authorizing leaves of absence*
*45207 Personal necessity (classified)*
*45210 Service as officer of employee organization (classified)*
*45240-45320 Merit system, classified employees*
*EVIDENCE CODE*
*1035.2 Sex assault counselor; definition*
*1037.1 Domestic violence counselor; definition*
*FAMILY CODE*
*297-297.5 Registered domestic partner rights, protections, and benefits*
*GOVERNMENT CODE*
*3543.1 Release time for representatives of employee organizations*
*12945.1-12945.2 California Family Rights Act*
*LABOR CODE*
*230-230.2 Leave for victims of domestic violence, sexual assault, or specified felonies*
*230.3 Leave for emergency personnel*
*230.4 Leave for volunteer firefighters*
*230.8 Leave to visit child's school*
*233 Illness of child, parent, spouse, domestic partner or domestic partner's child*
*234 Absence control policy*
*246.5 Paid sick days, purposes for use*
*1500-1507 Civil Air Patrol leave*
*MILITARY AND VETERANS CODE*
*395.10 Leave when spouse on leave from military deployment*
*PENAL CODE*
*667.5 Violent felony, defined*
*1192.7 Serious felony, defined*
*CALIFORNIA CONSTITUTION*
*Article 1, Section 8 Religious discrimination*
*UNITED STATES CODE, TITLE 29*
*2601-2654 Family and Medical Leave Act*
*UNITED STATES CODE, TITLE 42*
*2000d-2000d-7 Title VII, Civil Rights Act of 1964*
*COURT DECISIONS*
*Rankin v. Commission on Professional Competence, (1988) 24 Cal.3d 167*
*PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS*
*Berkeley Council of Classified Employees v. Berkeley Unified School District, (2008) PERB Decision No. 1954*

*Management Resources:*
*WEB SITES*
*California Federation of Teachers: http://www.cft.org*
*California School Employees Association: http://www.csea.com*
*California Teachers Association: http://www.cta.org*
*Public Employment Relations Board: http://www.perb.ca.gov*

(11/12 12/14) 3/16

Date Adopted: November 2, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4161.5**

## MILITARY LEAVE

Military leave shall be granted in accordance with applicable state and federal law to employees performing military duties on a voluntary or involuntary basis in a uniformed service, including active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, examination to determine fitness for duty, and performance of funeral honors duty. (EC 44800; Military and Veterans Code 395, 395.01, 395.02, 395.05, 395.1, 395.2, 395.9; 38 USC 4301, 4303, 4316)
(cf. 4161/4261/4361 - Leaves)

An employee who needs to be absent from the district to fulfill his/her military service shall provide advance written or verbal notice to the Superintendent or designee, unless the giving of such notice is precluded by military necessity or is otherwise impossible or unreasonable. (38 USC 4312; 20 CFR 1002.85, 1002.86)

Salary/Compensation

An employee shall receive his/her salary or compensation for the first 30 days of any one absence for military leave or during one fiscal year, under any of the following conditions:

1. Active Military Training or Exercises: The employee is granted a temporary military leave of absence to engage in ordered military duty for purposes of active military training, encampment, naval cruises, special exercises, or like activity as a member of the reserve corps or force of the United States Armed Forces, National Guard, or Naval Militia, provided that: (Military and Veterans Code 389, 395, 395.01)

   a. He/she has been employed by the district for at least one year immediately prior to the day the military leave begins.

   b. The ordered duty does not exceed 180 days, including time involved in going to and returning from such duty.

2. Active Military Duty: The employee is on military leave, other than a temporary military leave, to engage in active military duty as a member of the reserve corps or force of the United States Armed Forces, the National Guard, or the Naval Militia, provided that he/she has been employed by the district for at least one year immediately prior to the day the military leave begins. (Military and Veterans Code 389, 395.02)

3. War or Other Emergency: The employee, however long employed by the district, is a member of the National Guard who is engaged in military or naval duty during a state of extreme emergency as declared by the Governor, or during such time as the National Guard may be on active duty in situations described in Military and Veterans Code 146, including travel time to and from such duty. (Military and Veterans Code 395.05)

**MILITARY LEAVE (continued)**

In determining the length of district employment when necessary to determine eligibility for compensation for military leave, all recognized military service performed during and prior to district employment shall be included.

For classified employees, 30 days' compensation shall be one month's salary. For certificated employees, 30 days' compensation shall be one-tenth of the employee's annual salary. (EC 45059)

Certificated employees shall not be entitled to compensation during non-teaching, non-paying months of the year.

During the period of military leave, an employee may, upon his/her own request, use any vacation or similar paid leave accrued before the commencement of the military leave. The district shall not require the employee to use such leave. (38 USC 4316; 20 CFR 1002.153)

Benefits

An employee may elect to continue his/her health plan coverage during the military leave. The maximum period of coverage for the employee and his/her dependents shall be either 24 months from the beginning of the leave or until the day after the employee fails to apply for or return to employment, whichever is less. (38 USC 4317; 20 CFR 1002.164)

An employee on military leave may be required to pay the employee cost, if any, of any funded benefit to the extent that other employees on leave are so required. (38 USC 4316)

An employee absent for 30 days or fewer shall not be required to pay more than the employee share for such coverage. An employee absent for 31 days or more may be required to pay not more than 102 percent of the full premium under the plan. (38 USC 4317; 20 CFR 1002.166)

Vacation and Sick Leave Accrual

An employee on temporary military leave under the conditions described in item #1 Active Military Training or Exercises, in the section entitled "Salary/Compensation" above, shall continue to accrue the same vacation, sick leave, and holiday privileges to which he/she would otherwise be entitled if not absent. (Military and Veterans Code 395)
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

An employee on military leave who is serving in active duty in time of war, national emergency, or United Nations military or police operation shall not accrue sick leave or vacation leave during the period of such leave. (Military and Veterans Code 395.1)

**MILITARY LEAVE (continued)**

However, an employee who is a National Guard member on active duty as described in item #3 War or Other Emergency, in the section entitled "Salary/Compensation" above, shall not suffer any loss or diminution of vacation or holiday privileges because of his/her leave of absence. (Military and Veterans Code 395.05)

Pension Plan Service Credit

Pension plan service credit and vesting shall continue during an employee's military leave as though no break in service had occurred. Payment of employer and employee contributions shall be made in accordance with law for members of the State Teachers' Retirement System or Public Employees' Retirement System. (EC 22850-22856; GC 20990-21013)

Employment Status

Absence for military leave shall not affect the classification of any certificated employee. In the case of a certificated probationary employee, the period of such absence shall not count as part of the service required to obtain permanent status, but shall not be construed as a break in the continuity of service for any purpose. (EC 44800)
(cf. 4116 - Probationary/Permanent Status)

Reinstatement Rights

At the conclusion of the military duty, an employee shall be promptly reinstated in the position held at the beginning of the leave, at the salary to which he/she would otherwise have been entitled, except under the conditions noted below. (EC 44800; Military and Veterans Code 395, 395.2; 38 USC 4304, 4313; 20 CFR 1002.180-1002.181)
(cf. 4030 - Nondiscrimination in Employment)

Any employee who performs active military duty in time of war, national emergency, or United Nations military or police operation has a right to return to his/her position within six months of an honorable discharge or placement on inactive duty. Reinstatement rights shall not be extended to any such employee who fails to return within 12 months after the first date upon which he/she could terminate or could cause to be terminated his/her active service. (EC 44800; Military and Veterans Code 395.1)

When an employee has been on military leave for reasons other than war or national emergency, the time frame for reinstatement shall depend on the length of military service as follows: (38 USC 4312; 20 CFR 1002.115, 1002.118)

**MILITARY LEAVE (continued)**

1. For a leave of 30 days or fewer, the employee shall report for duty no later than the beginning of the first full work day following the completion of military service, provided the employee has a period of eight hours to rest following transportation to his/her residence.

2. For a leave of 31-180 days, the employee shall submit a written or verbal application for reinstatement not later than 14 days after the completion of military service.

3. For a leave of more than 180 days, the employee shall submit a written or verbal application for reinstatement within 90 days after the completion of military service.

In cases where reporting within the periods specified in items #1 and #2 above is impossible or unreasonable through no fault of the employee, he/she shall report as soon as possible after the expiration of the period. (38 USC 4312; 20 CFR 1002.115, 1002.117)

An employee who is hospitalized for, or convalescing from, an illness or injury incurred in or aggravated during the performance of military service shall report for duty or submit an application for reinstatement at the end of the period that is necessary to recover from such illness or injury, but no more than two years after the completion of military service unless circumstances beyond the employee's control make reporting within the two-year period impossible or unreasonable. (38 USC 4312; 20 CFR 1002.116)
(cf. 4032 - Reasonable Accommodation)

Upon receiving an application for reinstatement, the Superintendent or designee shall reinstate the employee as soon as practicable under the circumstances of his/her case, but within a time period not to exceed two weeks, absent unusual circumstances. (20 CFR 1002.181)

If the employee's previous position has been abolished, he/she shall be reinstated in a position of like seniority, status, and pay, if such position exists, or to a comparable vacant position for which he/she is qualified. (Military and Veterans Code 395, 395.1; 38 USC 4313; 20 CFR 1002.192)

An employee failing to apply for reinstatement within the appropriate period does not automatically forfeit his/her rights, but shall be subject to the Board's rules governing unexcused absences. (38 USC 4312)

The Superintendent or designee may elect not to reinstate an employee following military leave if any of the following conditions exists:

1. The district's circumstances have so changed as to make such re-employment impossible or unreasonable, such as a reduction in force that would have included the employee. (38 USC 4312; 20 CFR 1002.139)

**MILITARY LEAVE (continued)**

2. The accommodation, training, or effort described in 38 USC 4313(a)(3), (a)(4), or (b)(2)(B) would impose an undue hardship on the district as defined in 20 CFR 1002.5 or 1002.198. (38 USC 4312; 20 CFR 1002.139)

3. The employee's position was for a brief, nonrecurrent period and there was no reasonable expectation that such employment will continue indefinitely or for a significant period. (38 USC 4312; 20 CFR 1002.139)

4. The employee's cumulative length of absence and length of all previous military leave while employed with the district exceeds five years, excluding those training and service obligations specified in 38 USC 4312(c). (38 USC 4312; 20 CFR 1002.99-1002.103)

5. The employee was separated from military service with a disqualifying discharge or under other than honorable conditions. (Military and Veterans Code 395.1; 20 USC 4304, 4312; 20 CFR 1002.134-1002.138)

Notices

The Superintendent or designee shall provide employees a notice of the rights, benefits, and obligations of employees granted military leave and of the district under the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC 4301-4334. (38 USC 4334)

This requirement may be met by posting the notice where the district customarily places notices for employees. (38 USC 4334)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

## MILITARY LEAVE (continued)

Legal Reference:

*EC*
*22850-22856 Pension benefits, STRS members on military leave*
*44018 Compensation for employees on active military duty*
*44800 Effect of active military service on status of employees*
*45059 Employee ordered to military/naval duty - computation of salary*
*GC*
*18540 Definition of armed forces*
*18540.3 Recognized military service*
*20990-21013 Pension benefits, PERS members on military leave*
*MILITARY AND VETERANS CODE*
*146 Events justifying calling of militia into active service*
*389 Definitions; temporary military leave*
*394 Nondiscrimination based on military service*
*395-395.9 Military leave*
*UNITED STATES CODE, TITLE 38*
*4301-4334 Uniformed Services Employment and Reemployment Rights Act of 1994*
*CODE OF FEDERAL REGULATIONS, TITLE 20*
*1002.1-1002.314 Uniformed Services Employment and Reemployment Rights Act of 1994*
*COURT DECISIONS*
*Wright v. City of Santa Clara (1989) 213 Cal. App.3d 1503*
*Bowers v. San Buenaventura (1977) 75 Cal. App.3d 65*
*ATTORNEY GENERAL OPINIONS*
*77 Ops.Cal.Atty.Gen. 209 (1994)*
*69 Ops.Cal.Atty.Gen. 185 (1986)*
*63 Ops.Cal.Atty.Gen. 924 (1978)*
*19 Ops.Cal.Atty.Gen. 132 (1952)*
*18 Ops.Cal.Atty.Gen. 178 (1951)*

*Management Resources:*
*U.S. DEPARTMENT OF LABOR PUBLICATIONS*
*A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act (USERRA), rev. April 2005*
*NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS*
*The Uniformed Services Employment and Reemployment Rights Act (USERRA), NSBA Federal File: Guidance on Federal School Law, 2003*
*WEB SITES*
*National Committee for Employer Support of the Guard and Reserve: http://www.esgr.org*
*National School Boards Association: http://www.nsba.org*
*U.S. Department of Labor, USERRA: http://www.dol.gov/vets/programs/userra*

(3/04 3/05) 7/06

Date Adopted: November 2, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4161.8**

## LEAVES – FAMILY CARE AND MEDICAL LEAVE

The district shall not deny any eligible employee the right to family care, medical, or pregnancy disability leave (PDL) pursuant to the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), or the Fair Employment and Housing Act (FEHA) nor restrain or interfere with the employee's exercise of such right. In addition, the district shall not discharge an employee or discriminate or retaliate against him/her for taking such leave or for his/her opposition to or challenge of any unlawful district practice in relation to any of these laws or for his/her involvement in any related inquiry or proceeding. (GC 12945, 12945.2; 2 CCR 11094; 29 USC 2615)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4033 - Lactation Accommodation)

Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child (son or daughter) means a biological, adopted, or foster child; a stepchild; a legal ward; or a child to whom the employee stands in loco parentis, as long as the child is under 18 years of age or an adult dependent child. (GC 12945.2; 2 CCR 11087; 29 USC 2611)

Eligible employee for FMLA and CFRA purposes means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the previous 12-month period. However, these requirements shall not apply when an employee applies for PDL. (GC 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

Employee disabled by pregnancy means an employee whose health care provider states that the employee is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of the job or to perform any of them without undue risk to the employee or other persons or to the pregnancy's successful completion

2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

Parent means a biological, foster, or adoptive parent; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. Parent does not include a spouse's parents. (GC 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or his/her child, parent, or spouse, including, but not limited to, treatment for substance abuse, that involves either of the following: (GC 12945.2; 2 CCR 11087, 11097; 29 USC 2611; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

   A person is considered an inpatient when a health care facility formally admits him/her to the facility with the expectation that he/she will remain overnight and occupy a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

   Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:

   a. A period of incapacity of more than three consecutive full days

   b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition

   c. Any period of incapacity due to pregnancy or for prenatal care under FMLA

   d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective

   e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage, or a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

Eligibility

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (GC 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

1. The birth of a child of the employee or placement of a child with the employee in connection with the adoption or foster care of the child by the employee (baby bonding)

2. To care for the employee's child, parent, or spouse with a serious health condition

3. The employee's own serious health condition that makes him or her unable to perform the functions of his or her position.

4. Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty)

5. To care for a covered service member with a serious injury or illness if the service member is the employee's spouse, child, parent, or next of kin as defined.

In addition, the district shall grant PDL to any employee who is disabled by pregnancy, childbirth, or other related medical condition. (GC 12945; 2 CCR 11037)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered service member as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (GC 12945.2; 29 USC 2612)

This 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

In addition, any employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (GC 12945; 2 CCR 11042)

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of a child or to bond with or care for the child. (GC 12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a combined total of 12 work weeks. This restriction shall apply regardless of the legal status of both parents' relationship. (GC 12945.2, 12945.6; 2 CCR 11088; 29 USC 2612)

Use/Substitution of Paid Leave

Except for pregnancy disability leave, during the period of family care and medical leave, the district shall require the employee to use his/her accrued vacation leave, other accrued time off, and any other paid time off negotiated with the district for any otherwise unpaid FMLA or CFRA leave not involving his/her own serious health condition. For PDL, CFRA, or FMLA leave due to an employee's own serious health condition, the employee shall use accrued sick leave and may use accrued vacation leave and other paid time off at his/her option. (GC 12945, 12945.2, 12945.6; 2 CCR 11044; 29 USC 2612)

The district and employee may also negotiate for the employee's use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)
(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4161/4261/4361 - Leaves)
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or his/her child, parent, or spouse may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (2 CCR 11042, 11090; 29 USC 2612)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.

2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.

3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

The alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

Request for Leave

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, he/she must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA-qualifying. (2 CCR 11091; 29 CFR 825.300)

When an employee is able to foresee the need for PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days' advance notice before the leave. When the 30 days' notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (GC 12945.2; 2 CCR 11050, 11091)

## Certification of Health Condition

Within five business days of an employee's request for family care and medical leave for his/her own or his/her child's, parent's, or spouse's serious health condition, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11091; 29 CFR 825.305)
The certification shall include the following: (GC 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began

2. The probable duration of the condition

3. If the employee is requesting leave to care for a child, parent, or spouse with a serious health condition, both of the following:

   a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the child, parent, or spouse during a period of the treatment or supervision.

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

b. Estimated amount of time the health care provider believes the employee needs to care for the child, parent, or spouse

4. If the employee is requesting leave because of his/her own serious health condition, a statement that due to the serious health condition, he/she is unable to work at all or is unable to perform one or more essential functions of his/her job.

5. If the employee is requesting leave for intermittent treatment or on a reduced leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave.

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the Superintendent or designee doubts the validity of a certification that accompanies a request for leave for the employee's own serious health condition, he/she may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (GC 12945.2; 2 CCR 11091; 29 USC 2613)

For PDL, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if he/she has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days' notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because the employee is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (GC 12945.2; 2 CCR 11050; 29 USC 2613)

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011.

Release to Return to Work

Upon expiration of an employee's PDL or family care and medical leave taken for his/her own serious health condition, the employee shall present certification from the health care provider that he/she is able to resume work. The certification shall address the employee's ability to perform the essential functions of his/her job.
(cf. 4112.4/4212.4/4312.4 - Health Examinations)

Rights to Reinstatement

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (GC 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

However, the district may refuse to reinstate an employee returning from FMLA or CFRA leave to the same or a comparable position if all of the following apply: (GC 12945.2; 2 CCR 11089; 29 USC 2614)

1. The employee is a salaried "key employee" who is among the highest paid 10 percent of district employees who are employed within 75 miles of the employee's worksite.

2. The refusal is necessary to prevent substantial and grievous economic injury to district operations.

3. The district informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service.
(cf. 4117.3 - Personnel Reduction)
(cf. 4217.3 - Layoff/Rehire)

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

The district may also refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on PDL or family care and medical leave, he/she shall maintain his/her status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (GC 12945.2; 2 CCR 11092; 29 USC 2614)

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before he/she took the leave. The employee shall reimburse the district for premiums paid during the leave if he/she fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond his/her control. (GC 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion of the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (GC 12945.2; 2 CCR 11044, 11092)

Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid FMLA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while his/her child, parent, or spouse who is a military member is on covered active duty or on call to covered active duty status. (29 USC 2612; 29 CFR 825.126)

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

Covered active duty means duty during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. (29 USC 2611; 29 CFR 825.126)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment;
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status;
3. Arrange childcare or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings;
4. Make or update financial and legal arrangements to address a military member's absence;
5. Attend counseling provided by someone other than a health care provider;
6. Spend time (up to 15 days of leave per instance) with a military member who is on short-term, temporary, Rest and Recuperation leave during deployment;
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings;
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency.

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave.
The certification shall contain the information specified in 29 CFR 825.309.

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the district's rule regarding an employee's use of his/her accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, son, daughter, parent, or next of kin of the covered servicemember. This 26-week period is not in addition to, but rather is inclusive of, the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness.

2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Son or daughter of a covered servicemember means the biological, adopted, or foster child, stepchild, legal ward, or a child of any age for whom the covered servicemember stood in loco parentis. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered servicemember, or as designated in writing by the covered servicemember. (29 USC 2611, 2612)

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the Member's office, grade, rank, or rating.

2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of Duty in the Armed Forces, including the National Guard or Reserves, that manifested itself Before or after the member became a veteran and that is at least one of the following:

   a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered him/her unable to perform the duties of his/her office, grade, rank, or rating

   b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition

   c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to his/her military service or that would do so but for treatment received by the veteran

   d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

**LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)**

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of his/her accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. General Notice: Information explaining the provisions of FMLA/CFRA and information about employee rights and obligations shall be posted in a conspicuous place on district premises or electronically and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)

   The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11050, 11091)
   (cf. 4112.9/4212.9/4312.9 - Employee Notifications)

2. Eligibility Notice: When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of his/her eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)

3. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)

   a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying

   b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification

   c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave

   d. Any requirements for the employee to make any premium payments to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis

   e. The employee's status as a "key employee," if applicable, potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial

   f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave

   g. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of his/her receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

4. Designation Notice: When the Superintendent or designee has information (*e.g.,* sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

   If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

   If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

   Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of family care and medical leave in accordance with law. (GC 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

Legal Reference:
EDUCATION CODE
44965 Granting of leaves of absence for pregnancy and childbirth
FAMILY CODE
297-297.5 Rights, protections, and benefits under law; registered domestic partners
300 Validity of marriage
GOVERNMENT CODE
12926 Fair employment and housing act, definitions
12940 Unlawful employment practices
12945 Pregnancy; childbirth or related medical condition; unlawful practice
12945.1-12945.2 California Family Rights Act
12945.6 Parental leave

## LEAVES – FAMILY CARE AND MEDICAL LEAVE (continued)

12946 Fair Employment and Housing Act: discrimination prohibited
CODE OF REGULATIONS, TITLE 2
11035-11051 Sex discrimination: pregnancy, childbirth and related medical conditions
11087-11098 California Family Rights Act
UNITED STATES CODE, TITLE 1
7 Definition of marriage
UNITED STATES CODE, TITLE 29
2601-2654 Family and Medical Leave Act of 1993, as amended
UNITED STATES CODE, TITLE 42
2000ff-1-2000ff-11 Genetic Information Nondiscrimination Act of 2008
CODE OF FEDERAL REGULATIONS, TITLE 29
825.100-825.702 Family and Medical Leave Act of 1993
COURT DECISIONS
United States v. Windsor, (2013) 699 F.3d 169
Faust v. California Portland Cement Company, (2007) 150 Cal.App.4th 864
Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Management Resources:
U.S. DEPARTMENT OF LABOR PUBLICATIONS
Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers
WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov

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**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4161.11**

## INDUSTRIAL ACCIDENT/ILLNESS LEAVE

An eligible employee shall be entitled to a leave of absence for an industrial accident or illness arising in the course of his/her assigned duties. (EC 44984, 45192)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)
(cf. 4157.2/4257.2/4357.2 - Ergonomics)
(cf. 4161/4261/4361 - Leaves)

For such leave, the employee shall be granted no more than 60 working days in any one fiscal year for the same industrial accident or illness.

To be eligible for industrial accident or illness leave, a classified employee shall have served in the district continuously for at least three years.

Allowable industrial accident or illness leave shall not be accumulated from year to year. (EC 44984, 45192)

When an employee is absent from his/her duties because of an industrial accident or illness: (EC 44043, 44044, 44984, 45192)

1. The leave shall start on the first day of absence.

2. During the period of absence, the employee shall be paid such portion of his/her wage or salary that, when added to the award granted under state workers' compensation laws, will not exceed his/her normal wage or salary.

3. The leave shall be reduced by one day for each day of authorized absence, regardless of an award granted under workers' compensation laws.

4. When the leave overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due the employee for the same illness or injury.

During any paid leave of absence, the employee shall endorse to the district any workers' compensation checks received on account of an industrial accident or illness. The Superintendent or designee shall then issue payment of the employee's normal wage or salary less any appropriate deductions, including, but not limited to, employee retirement contributions. (EC 44043)

**INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)**

Absence for industrial accident or illness shall not be considered a break in service of the employee. An employee using such leave shall retain all status and benefits to which he/she would otherwise be entitled.
(cf. 4116 - Probationary/Permanent Status)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 4216 - Probationary/Permanent Status)

When available industrial accident or illness leave has been exhausted, the employee shall be so notified in writing and shall be offered an opportunity to request any additional paid or unpaid leave available to the employee. (EC 45192)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Upon expiration of allowable leave for an industrial accident or illness, the employee may use personal illness and injury leave provided pursuant to Education Code 44977, 44978, 44983, or 45191, as applicable, provided that such leave, when added to any continuing workers' compensation award, does not result in a payment to the employee of more than his/her full wage or salary. (EC 44984, 45192)
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

If a certificated employee is unable to resume the duties of his/her position after exhausting all accumulated sick leave, including the consecutive five-month period provided by Education Code 44977, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 24 months if he/she is a probationary employee or 39 months if he/she is a permanent employee. If the employee becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (EC 44978.1)

If a classified employee has exhausted all available leaves of absence, paid or unpaid, and is not medically able to resume the duties of his/her position, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 39 months. If he/she becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other candidates except those on

a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with seniority regulations. If the employee is medically released to return to duty but fails to accept an appropriate assignment, he/she shall be dismissed. (EC 45192)
(cf. 4217.3 - Layoff/Rehire)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

**PERSONNEL** **AR 4161.11**

## INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

Legal Reference:
EDUCATION CODE
44043 Temporary disability
44044 Temporary disability checks; waiver of endorsement to district
44977 Salary deductions during absence from duties
44978 Provisions for certificated employee sick leave
44978.1 Inability of certificated employee to return to duty; placement in another position or on reemployment list
44983 Exception to sick leave
44984 Industrial accident and illness leave, certificated employees
45191 Personal illness and injury leave, classified employees
45192 Industrial accident and illness leave, classified employees
LABOR CODE
3200-6002 Workers' compensation

Management Resources:
WEB SITES
Department of Industrial Relations: http://www.dir.ca.gov

(10/98 8/13) 10/15

Date Adopted: October 2, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4200**

## CLASSIFIED PERSONNEL

The Governing Board believes that classified employees provide essential services that support and enhance the district's educational program, including the academic achievement, personal growth, and well-being of district students. Additionally, the Board acknowledges that classified employees benefit from professional development in fulfilling the expectations for their position and expects classified employees to engage in ongoing professional development to improve their skills and pursue excellence.

The Superintendent or designee shall fill each of its classified positions with individuals who meet applicable requirements and district qualifications, consistent with position requirements.

The Superintendent or designee shall define and communicate the duties, responsibilities, and expectations for each classified position.

The Superintendent or designee may provide professional development opportunities to classified staff for the purpose of continual improvement of knowledge and skills related to the employee's position.

The Board shall classify all employees and positions not requiring certification qualifications as the classified service, except for those employees and positions specifically exempt from classified service. (EC 45103)

Individuals who possess certification qualifications shall not be prohibited from being employed in a classified position. (EC 45104)

Each classified position shall have a designated title and regular minimum number of assigned hours per day, days per week, and months per year.

Classified employees shall be assigned by their immediate supervisors with the approval of the Superintendent or designee. They shall be required to perform those duties prescribed by the Board for the position the employee holds, in accordance with applicable job descriptions and collective bargaining agreements.

Each classified employee shall be responsible for completing assigned duties consistent with the applicable job description and shall be evaluated in accordance with law, Board policies, administrative regulations, and collective bargaining agreements, as appropriate.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4200**

## CLASSIFIED PERSONNEL

### Substitute and Short-Term Employees

The district may employ a substitute employee to replace a classified employee who is temporarily absent from duty. (EC 45103)

If the district is in the process of hiring a permanent employee to fill a classified position, the Board may fill the vacancy with one or more substitute employees for no more than 60 calendar days, unless the applicable collective bargaining agreement provides for a different period of time. (EC 45103)

The district may employ a short-term employee to perform a service for the district when that service or similar services will not be extended or needed on a continuing basis. Before employing a short-term employee, the Board, at a regularly scheduled meeting, shall specify the service required to be performed by the employee and shall certify the ending date of the service. The Board may shorten or extend the ending date, but the date shall not be extended beyond 195 work days per year, including holidays, sick leave, vacation, and other leaves of absence, irrespective of the number of hours worked per day. (EC 45103)

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4200**

## CLASSIFIED PERSONNEL

### Exemption from Classified Service

Persons hired solely for purposes which are exempted from the classified service shall nevertheless fulfill the obligations of classified employees related to physical examinations pursuant to Education Code 45122, fingerprinting pursuant to Education Code 45125, and tuberculosis tests pursuant to Education Code 49406. (EC 45106)

Individuals hired solely for the following purposes shall not be part of the classified service: (EC 45103)

1. Substitute or short-term employees who are employed and paid for fewer than 195 work days per year, including holidays, sick leave, vacation, and other leaves of absences, irrespective of the number of hours worked per day

2. Apprentices and professional experts employed on a temporary basis for a specific project regardless of length of employment

3. Full-time students employed part time

4. Part-time students employed part time in any college work study program, or in a work experience education program conducted by a community college district pursuant to Education Code 51760-51769.5 that is financed by state or federal funds

### Restricted Positions

Persons employed in restricted positions pursuant to Education Code 45105 or 45108 shall be classified employees for all purposes except that they shall not be subject to the provisions of Education Code 45272 and 45273 related to promotional examinations and the filling of vacancies, and shall not acquire permanent status or seniority credit. Such persons shall be eligible for promotion into the regular classified service only after completing six months of satisfactory service and satisfactorily completing the qualifying examinations required of all other persons serving in the same class in the regular classified service. (EC 45105, 45108)

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4211**

## RECRUITMENT AND SELECTION

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the district's vision, mission, and goals, and believes that students benefit when district staff reflects the racial, ethnic, linguistic, and cultural diversity of the district. The Superintendent or designee shall develop recruitment and selection processes, consistent with applicable law, Board policy, and collective bargaining agreements, that are designed to promote fairness and equity so that individuals are selected for employment in the district based on demonstrated knowledge, skills, and competence and in compliance with applicable antidiscrimination laws.

Additionally, the Superintendent or designee shall, through the recruitment and selection processes and procedures and consistent with applicable law, seek to recruit a diverse pool of qualified applicants. When a vacancy occurs, the Superintendent or designee shall review, as appropriate, the job description for the position to ensure that it accurately describes the major functions and duties of the position. Additionally, the Superintendent or designee shall disseminate job announcements in a manner reasonably designed and/or as detailed in the collective bargaining agreement to reach a broad pool of qualified candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.3)

The Superintendent shall develop and maintain appropriate hiring procedures to identify qualified candidates who meet district needs. In doing so, an interview committee may be established to rank candidates and recommend finalists. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be treated as confidential to the extent consistent with law.

When considering an applicant for a certificated position, the district shall inquire with each district, county office of education (COE), charter school, state special school or diagnostic center operated by the California Department of Education (CDE), or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that was reported to the Commission on Teacher Credentialing (CTC). (Education Code 44939.5)

Additionally, when considering an applicant for a classified position, the district shall inquire with each district, COE, charter school, state special school or diagnostic center operated by CDE, or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were used to support a substantiated investigation. (Education Code 44051)

**RECRUITMENT AND SELECTION (continued)**

Upon receipt of an inquiry from another district, COE, charter school, state special school or diagnostic center operated by CDE, or private school, in regard to an applicant for employment to that entity, the Superintendent or designee shall disclose to the inquiring entity all relevant information related to any report of egregious misconduct to CTC within its possession in regard to such applicant, including information in the employee's or former employee's personnel file, as specified in Education Code 44051 and 44939.5.

No inquiry shall be made about any information prohibited by state or federal nondiscrimination laws.

Unless otherwise provided for in law, the district may not discriminate against a person in hiring based on the person's use of cannabis off the job and away from the workplace, including that the district may not request information from an applicant related to the applicant's prior use of cannabis, apart from the applicant's criminal history, or penalize an applicant based on a drug screening which finds that the applicant has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. (GC 12954)

However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (GC 12954)

The Superintendent or designee shall not inquire, orally or in writing, about an applicant's salary history information, including compensation and benefits. Additionally, the Superintendent or designee shall not rely on salary history information as a factor in determining whether to offer employment to an applicant or the salary to offer. However, the Superintendent or designee may consider salary information that is disclosable under state or federal law or that the applicant discloses voluntarily and without prompting. (Labor Code 432.3)

The Superintendent or designee shall not require an applicant to have a driver's license unless driving is an essential function of the position or it is otherwise reasonably expected for driving to be a job function for the position and that satisfying the job function using an alternative form of transportation would not be comparable in travel time or cost to the district. (GC 12940)

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

**RECRUITMENT AND SELECTION (continued)**

**Incentives**

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

Date Adopted: June 29, 1998
Date Revised: June 11, 2014, September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4212**

## APPOINTMENT AND CONDITIONS OF EMPLOYMENT

Upon recommendation of the Superintendent, the Governing Board shall approve the appointment of all classified employees. The position and the classification shall be reported to the Board at a regular meeting.

Individuals appointed to the classified staff shall, at a minimum:

1. Submit to fingerprinting and criminal background clearance as required by law (EC 45125)

2. Not have been convicted of a violent or serious felony (EC 45122.1)

3. Not have been convicted of any sex offense as defined in Education Code 44010 (EC 45123)

4. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (EC 45124)

5. If the individual will be working directly and in an unaccompanied setting with minor children on a more than incidental and occasional basis or will have supervision or disciplinary power over minor children, not have been required to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16 (Penal Code 290.95)

6. Not have been convicted of any controlled substance offense as defined in Education Code 44011 (EC 45123)

7. Submit to a physical examination, tuberculosis testing/risk assessment, or provide proof thereof as required by law and Board policy (EC 45122, 49406)

8. File the oath or affirmation of allegiance required by Government Code 3100-3109

9. Submit to drug and alcohol testing as required by Board policy, law, or collective bargaining agreement

10. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy, or administrative regulation, including any reports of egregious misconduct in accordance with Board Policy 4111 - Recruitment and Selection or otherwise related to credentialing, assignment, and misconduct reporting

**PERSONNEL** **AR 4212**

## APPOINTMENT AND CONDITIONS OF EMPLOYMENT (continued)

### Notification of Classification and Compensation

When first employed and upon each subsequent change in classification, classified employees other than short-term, limited-term, or provisional employees shall be given two copies of their class specification, salary data, assignment or work location, duty hours and prescribed work week. Salary data shall specify pay period (monthly, semimonthly or other) and applicable rates of compensation (daily, hourly, overtime and differential rates). Employees shall keep one copy of this information and shall sign and date the other copy and return it to their supervisor. (EC 45169)

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4218**

## DISMISSAL/SUSPENSION/DISCIPLINARY ACTION

Termination of Probationary Employment

At any time prior to the expiration of the probationary period, the Superintendent or designee may, at his/her discretion, dismiss a probationary classified employee from district employment. A probationary employee shall not be entitled to a hearing.

Involuntary Suspension Without Pay, Demotion, Reduction of Pay Step in Class, or Dismissal of Permanent Classified Employees

Permanent classified employees shall be subject to personnel action (suspension without pay, demotion, reduction of pay step in class, dismissal) only for just cause. The Board's determination of the sufficiency of the cause for disciplinary action shall be conclusive.

1. Causes

In addition to any disqualifying or actionable causes otherwise provided for by statute or by policy or regulation of this district, each of the following constitutes cause for personnel action against a permanent classified employee:

a. Falsifying any information supplied to the school district, including, but not limited to, information supplied on application forms, employment records, or any other school district records.

b. Incompetency.

c. Inefficiency.

d. Neglect of duty.

e. Insubordination.

f. Dishonesty.

g. Drinking alcoholic beverages while on duty or in such close time proximity thereto as to cause any detrimental effect upon the employee or upon employees associated with him/her. (cf. 4020 - Drug and Alcohol-Free Workplace)

h. Possessing or being under the influence of a controlled substance at work or away from work, or furnishing a controlled substance to a minor.

**DISMISSAL/SUSPENSION/DISCIPLINARY ACTION (continued)**

i. Conviction of a felony, conviction of any sex offense made relevant by provisions of law, or conviction of a misdemeanor which is of such a nature as to adversely affect the employee's ability to perform the duties and responsibilities of his/her position. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, is deemed to be a conviction for this purpose.

j. Absence without leave.

k. Immoral conduct.

l. Discourteous treatment of the public, students, or other employees.

m. Improper political activity.

n. Willful disobedience.

o. Misuse of district property.

p. Violation of district, Board or departmental rule, policy, or procedure.

q. Failure to possess or keep in effect any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of the position.

r. Refusal to take and subscribe any oath or affirmation which is required by law in connection with his/her employment.

s. A physical or mental disability which precludes the employee from the proper performance of his/her duties and responsibilities as determined by competent medical authority, except as otherwise provided by a contract or by law regulating the retirement of employees.

t. Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a district employee.

u. Unlawful retaliation against any other district officer or employee or member of the public who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on the job or directly related thereto.

**DISMISSAL/SUSPENSION/DISCIPLINARY ACTION (continued)**

v. Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the district or his/her employment.

Except as defined in item "s" above, no personnel action shall be taken for any cause which arose before the employee became permanent, nor for any cause which arose more than two years before the date of the filing of the notice of cause unless this cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee would have disclosed the facts to the district.

2. Notice of Proposed Disciplinary Action

Prior to the Superintendent recommending to the Board of Education that disciplinary action be taken, the administrator/manager initiating the charges shall serve the employee personally or by certified mail (return receipt requested) with a Notice of Proposed Disciplinary Action. The Notice shall contain:

a. A statement of the nature of the proposed disciplinary action (suspension without pay, demotion, or dismissal).
b. A statement of the cause or causes for the disciplinary action, as set forth above.
c. A statement of the specific acts or omissions upon which the causes are based. If a violation of rule, policy, or regulation of the District is alleged, the rule, policy, or regulation violated shall be stated in the recommendation.
d. A statement giving the employee at least seven (7) days in which to arrange to meet with and/or furnish written information concerning the charges to the Superintendent or designee (who shall not be the person who initiated the charges or anyone subordinate to that person.)

3. Initiation and Notification of Charges

The Superintendent or designee may initiate a personnel action as defined herein against a permanent classified employee.

In all cases involving a personnel action, the person initiating the action shall file a written recommendation of personnel action with the Board. A copy of the recommendation shall be served upon the employee either personally or by registered or certified mail, return receipt requested, at the employee's last known address. The recommendation shall include:

a. A statement of the nature of the personnel action (suspension without pay, demotion, reduction of pay step in class, or dismissal).

b. A statement of the cause or causes for the personnel action, as set forth above.

c. A statement of the specific acts or omissions upon which the causes are based. If a violation of rule, policy, or regulation of the district is alleged, the rule, policy, or regulation violated shall be stated in the recommendation.

d. A statement of the employee's right to appeal the recommendation and the manner and time within which the appeal must be filed.

e. A card or paper, the signing and filing of which shall constitute a demand for hearing and a denial of all charges.

Response

The employee shall have the right to meet with, or respond in writing to, a designated district official ("Skelly officer") who will determine whether the recommended discipline should proceed further or be modified or withdrawn. The employee shall have the right to be represented at all stages of the disciplinary action.

4. Suspension Without Pay

A classified employee against whom a recommendation for disciplinary action has been issued may remain on active duty or may be placed on paid leave pending a hearing on the charges. The employee shall not be suspended without pay, suspended or demoted with a reduction in pay, or dismissed pending the outcome of a timely requested hearing, except as specified below. (EC 45113)

The disciplinary action may be imposed prior to the decision if the Board, or an impartial third-party hearing officer provided pursuant to a collective bargaining agreement, finds by a preponderance of the evidence that at the time discipline was imposed, the employee (1) engaged in criminal misconduct, (2) engaged in misconduct that presents a risk of harm to students, staff, or property, or (3) committed habitual violations of the district's policies or regulations. Such finding(s) must be made at the conclusion of the Skelly review process. (EC 45113)

In such cases where the disciplinary action is imposed prior to the decision, the employee shall be given written notice of the disciplinary action and the findings made at the conclusion of the Skelly review process. Such written notice shall be served upon the employee personally or by certified mail.

5. Time Limit of Suspension

Except for a suspension imposed under #3 above, any suspension invoked under these rules against any one person for one or more periods shall not aggregate more than 90 calendar days in any 12-month period; however, this time limitation shall not apply to cases in which a personnel action of dismissal is modified by the Board to a suspension.

**DISMISSAL/SUSPENSION/DISCIPLINARY ACTION (continued)**

6. Right to Appeal

Within seven calendar days after service of the recommendation of personnel action described above, the employee may appeal by signing and filing the card or paper included with the recommendation. Any other written document signed and appropriately filed within the specified time limit by the employee shall constitute a sufficient notice of appeal. A notice of appeal is filed only by delivering the notice of appeal to the office of the Superintendent or designee during normal work hours of that office. A notice of appeal may be mailed to the office of the Superintendent or designee but must be received or postmarked no later than the time limit stated herein. In cases where an order of suspension without pay has been issued in conjunction with a recommendation of dismissal, any appeal of the recommendation of dismissal shall also constitute an appeal of the suspension order, and the necessity of the order shall be an issue in the appeal hearing.

If the employee fails to file a notice of appeal within the time specified in these rules, he/she shall be deemed to have waived his/her right to appeal, and the Board may order the recommended personnel action into effect immediately.

7. Amended/Supplemental Charges

At any time before an employee's appeal is finally submitted to the Board or to a hearing officer for decision, the complainant may, with the consent of the Board or hearing officer, serve on the employee and file with the Board an amended or supplemental recommendation of personnel action.

If the amended or supplemental recommendation presents new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare his/her defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegation may be made orally at the hearing and shall be noted on the record.

8. Hearing Procedures
    a. The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board or hearing officer and the availability of counsel and witnesses. The parties shall be notified of the time and place of the hearing. The employee shall be entitled to appear personally, produce evidence, and have counsel. The employee shall be entitled to a public hearing if he/she demands it when the Board is hearing the appeal. The complainant may also be represented by counsel. The procedure entitled "Administrative Adjudication" commencing with Government Code 11500 shall not apply to any such hearing before the Board or a hearing officer. Neither the Board nor a hearing officer shall be bound by rules of evidence used in

**DISMISSAL/SUSPENSION/DISCIPLINARY ACTION (continued)**

California courts. Informality in any such hearing shall not invalidate any order or decision made or approved by the hearing officer or the Board.

b. All hearings shall be heard by a hearing officer (who shall be an attorney licensed in the State of California) except in those cases where the Board determines to hear the appeal itself. In any case in which the Board hears the appeal, the Board may use the services of its counsel or a hearing officer in ruling upon procedural questions, objections to evidence, and issues of law. If the appeal is heard by the Board, the Board shall affirm, modify or revoke the recommended personnel action.

c. Except for an allegation of egregious misconduct in which a minor is involved, the Board may delegate the authority to determine whether sufficient cause exists for disciplinary action to an impartial third-party hearing officer. When a matter is heard by a third party hearing officer, the Board shall review the determination and adopt or reject the recommended decision. (Education Code 45113) When any matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a witness who is a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. In such cases, the ruling of the administrative law judge shall be binding on the district and the employee. (Education Code 45113)

d. If the appeal is heard by a hearing officer, he/she shall prepare a proposed decision in a form that may be adopted by the Board as the decision in the case. A copy of the proposed decision shall be received and filed by the Board and furnished to each party within ten days after the proposed decision is filed by the Board. The Board may:

    i. Adopt the proposed decision in its entirety.
    ii. Reduce the personnel action set forth in the proposed decision and adopt the balance of the proposed decision.
    iii. Reject a proposed reduction in personnel action, approve the personnel action sought by the complainant or any lesser penalty, and adopt the balance of the proposed decision.

e. Reject the proposed decision in its entirety.

If the Board rejects the proposed decision in its entirety, each party shall be notified of such action and the Board may decide the case upon the record

including the transcript, with or without the taking of additional evidence, or may refer the case to the same or another hearing officer to take additional evidence. If the case is so assigned to a hearing officer, he/she shall prepare a proposed decision, as provided in item "c" above, upon the additional evidence and the transcript and other papers which are part of the record of the prior hearing. A copy of this proposed decision shall be furnished to each party within 10 calendar days after the proposed decision is filed by the Board,

f. In arriving at a decision or a proposed decision on the propriety of the proposed personnel action, the Board or the hearing officer may consider the records of any prior personnel action proceedings against the employee in which a personnel action was ultimately sustained and any records that were contained in the employee's personnel files and introduced into evidence at the hearing.

9. Hearing Decision

The decision of the Board shall be in writing and shall contain findings of fact and the personnel action approved, if any. The findings may reiterate the language of the pleadings or simply refer to them.

The decision of the Board shall be certified to the Superintendent or designee who recommended the personnel action, and he/she shall enforce and follow this decision. A copy of the decision shall be delivered to the appellant or his/her designated representative personally or by registered mail. The decision of the Board shall be final.

10. Compulsory Dismissal

The district shall not employ or retain in employment any person who has been convicted of any sex offense as defined in Education Code 44010 or any controlled substance offense as defined in Education Code 44011. However, the district may employ a person convicted of a controlled substance offense if the Board determines from the evidence it requires that the person has been rehabilitated for at least five years. If any such conviction is reversed and the person acquitted or charges dismissed except as otherwise provided below, the employee may be reemployed by the district, although reemployment is not a guarantee. (EC 45123)

The district reserves the right to dismiss an employee for any acts upon which the original criminal charges were based, despite the disposition by the courts. If dismissal is recommended and upheld, an employee will not be reemployed or compensated for the time he/she was suspended unless otherwise required by law. An employee shall be given notice of the possibility of not being reimbursed during mandatory suspension if he/she is ultimately dismissed for the acts upon which the original charges were based.

**DISMISSAL/SUSPENSION/DISCIPLINARY ACTION (continued)**

11. Extension of Compulsory Leave

The Board may extend an employee's compulsory leave of absence by giving him/her notice, within ten days after the entry of judgment in the proceedings, that he/she will be dismissd in 30 days unless he/she demands a hearing. Employee compensation during the period of compulsory leave shall be made in accordance with law. (EC 44940.5)

Date Adopted: November 4, 1998
Date Revised: June 7, 2017, November 5, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4218.7**

## CLASSIFIED EMPLOYEE DISCIPLINE—UNREPRESENTED EMPLOYEES

Termination of Probationary Classified Employees

A classified employee shall serve a probationary period of six months or 130 days of paid service, whichever is longer. (Education Code sections 45113 and 45301). The probationary period shall commence on the first day the employee actually renders service for the District. At any time prior to the expiration of the six months or 130 day probationary period, the Superintendent may in his/her sole discretion dismiss a probationary employee from the employment of the District without cause or hearing. A probationary employee shall not be entitled to a hearing or any statement of reasons for such dismissal.

Discipline

A permanent employee may be subject to disciplinary action by the Board of Trustees for cause upon recommendation by the Superintendent or designee. Disciplinary action includes dismissal, demotion, or suspension without pay for six (6) or more working days. A suspension without pay for five (5) or fewer working days is not subject to the provisions of this policy. The Superintendent or designee may suspend an employee without pay for five (5) or fewer days without compliance with the provisions of this policy.

Causes

An employee may be subject to disciplinary action for cause. Causes for disciplinary action include, but are not limited to the following:

1. Falsifying any information supplied to the District, including, but not limited to, information supplied on application forms, employment records, or any other District records.

2. Incompetence or inefficiency in the performance of the duties of his/her position.

3. Negligence in the performance of duty or in the care or use of District property.

4. Insubordination, including, but not limited to, refusal to do assigned work or refusal to follow directives of the Superintendent or the employee's supervisor.

5. Dishonesty.

6. Drinking alcoholic beverages on the job or reporting to work while under the influence of intoxicating liquor.

**PERSONNEL** **BP 4218.7**

**CLASSIFIED EMPLOYEE DISCIPLINE—UNREPRESENTED EMPLOYEES (continued)**

7. Possession of or use of any drugs or narcotics or any drug or narcotic offense as defined in Education Code Section 44011. Unauthorized use of narcotics; controlled substances, or habit forming drugs; use of any medication or other substance as to detrimental effect on the employee's ability to perform the duties and responsibilities of his/her position.

8. Conviction of any felony. Conviction or arrest for any sex offense as defined in the Education Code, or conviction of a misdemeanor which is of such a nature as to adversely affect the employee's ability to perform the duties and responsibilities of his/her position. A plea of guilty, or a conviction following a plea of *nobo contendere*, is deemed a conviction within the meaning of this section.

9. Abandonment of position.

10. Conviction of any crime involving moral turpitude.

11. Discourteous, offensive, or abusive conduct or language toward other employees, pupils or the public.

12. Violation of the Education Code, Board policy or rules of the District.

13. Failure to possess or keep in effect any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of this position.

14. Consistent with applicable law, physical or mental disability which precludes the employee from the proper performance of his/her duties and responsibilities, as determined by competent medical authority.

15. Unlawful retaliation against any other District officer or employee or member of the public who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on the job or directly related thereto.

16. Failure or inability to perform duties and responsibilities assigned to an employee's position.

17. Repeated or unexcused absence or tardiness or absence or repeated tardiness without authority or sufficient reason.

18. Abuse of illness leave privileges.

**CLASSIFIED EMPLOYEE DISCIPLINE—UNREPRESENTED EMPLOYEES (continued)**

19. Offering of anything of value or offering any service in exchange for special treatment in connection with the employee's job or employment or the accepting of anything of value or any service in exchange for granting special treatment to another employee or to any member of the public.

20. Conduct which adversely affects the employee's ability to perform the duties and responsibilities of his/her position.

21. Unauthorized entry, copying, possession, use or viewing of personnel or confidential files, documents or information. Unauthorized entry, copying, possession, use or viewing of any District created information, lists, databases or the like. Unauthorized copying, possession, use or viewing of District created information, lists, databases or the like for personal purposes. Unauthorized use or possession of District equipment for personal purposes.

22. Violation of the District's sexual harassment policy or the commission of any act of sexual harassment.

23. Conviction of any crime involving moral turpitude or the use, possession, sale or transporting of any illegal, restricted, regulated or controlled substance or drug, including, but not limited to, marijuana or any of its derivatives or extracts.

24. Failure to possess or keep in effect any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of this position.

25. For employees who drive a vehicle in the regular course of their employment: Failure to satisfy the insurability requirement of the District's insurance carrier under the District's regular insurance policies. The District's ability to obtain insurance for the employee under a high risk or any policy other than the regular insurance policies does not mitigate this failure.

26. Revealing confidential information, including, but not limited to, personnel and student records.

27. Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of District employee.

**PERSONNEL** **BP 4218.7**

## CLASSIFIED EMPLOYEE DISCIPLINE—UNREPRESENTED EMPLOYEES (continued)

Limitation of Time

No disciplinary action shall be taken for any cause which arose before the employee became permanent, nor for any cause which arose more than two (2) years preceding the date of the filing of the notice of cause unless such cause was concealed or disclosed by the employee when it could be reasonable assumed that the employee should have disclosed the facts to the District.

Abandonment

An employee shall be deemed to have abandoned his/her position if the employees fails to show up for work and perform his/her duties for three (3) consecutive workdays. The Superintendent or designee shall mail notice to the employee which informs the employee that he/she will be deemed to have resigned from his/her employment with the District unless said employee returns to work and performs his/her duties within five (5) workdays from the date the letter is mailed. The notice shall be mailed certified mail to the last known address of the employee. The employee is responsible for providing the District with a correct address. If the employee fails to show up for work and perform his/her duties within five (5) days after the mailing of said notice, then the employee shall be conclusively presumed to have abandoned his/her position and shall be deemed to have resigned from his/her employment.

Initiation and Notification of Charges

Prior to the imposition of discipline, a notice of proposed disciplinary action shall be written in ordinary and concise language and served in person or by registered or certified mail on the employee. The notice shall contain:

1. A statement of the nature of the personnel action (suspension without pay, demotion, or dismissal).

2. A statement of the cause or causes for the disciplinary action.

3. The specific acts, omissions or reasons upon which the disciplinary action is based.

4. The specific rule or regulation, if any, of the District or Education Code the employee is alleged to have violated. Such rule or regulation shall be set forth in said notice.

5. The employee's right to a hearing before the Board of Trustees of the District.

6. The deadline to request a hearing before the Board of Trustees.

**PERSONNEL** **BP 4218.7**

**CLASSIFIED EMPLOYEE DISCIPLINE—UNREPRESENTED EMPLOYEES (continued)**

7. The date the discipline will be effective.

8. A card or paper for the employee to sign in order to deny the charges and request an appeal. If the employee does not sign and return the card or paper and request an appeal then the discipline shall be effective on the date specified in the notice and the employee shall have waived his or her right to request an appeal.

9. Copies of any and all evidence or documents proposed to be used against the employee.

Response

The employee shall have the right to meet with, or respond in writing to, a designated district official ("Skelly officer") who will determine whether the recommended discipline should proceed further or be modified or withdrawn. The employee shall have the right to be represented at all stages of the disciplinary action.
Request for Hearing

The employee may within seven calendar days after service of the notice of disciplinary action appeal the recommendation by requesting a hearing. If the employee requests a hearing, the hearing shall be scheduled before the Board of Trustees. At the hearing, the person making the recommendation for discipline shall present all the evidence on which the charges are based. The employee shall have the right to respond either orally or in writing and present any documentary or oral testimony. The Board of Trustees shall consider the oral and documentary evidence introduced by the employee and shall determine whether or not the proposed discipline shall be imposed as set forth in the notice of disciplinary action or modified or not imposed.

Hearing

In lieu of conducting the hearing itself, the Board of Trustees may retain the services of a hearing officer or attorney to conduct the hearing and prepare an advisory decision for review by the Board of Trustees. The powers of the hearing officer or attorney conducting the hearing shall be limited to procedural aspects of the hearing and advising the board of trustees on items as determined by the board of trustees. If the board of trustees decides to impose the discipline, it shall, by personal service or by certified mail deliver to the employee a notification of disciplinary action and set forth the date when such disciplinary action shall be effective.

Except for an allegation of egregious misconduct in which a minor is involved, the Board may delegate the authority to determine whether sufficient cause exists for disciplinary action to an impartial third-party hearing officer. When a matter is heard by a third party hearing officer, the Board shall review the determination and adopt or reject the recommended decision. (Education Code 45113)

**CLASSIFIED EMPLOYEE DISCIPLINE—UNREPRESENTED EMPLOYEES (continued)**

When any matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a witness who is a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. In such cases, the ruling of the administrative law judge shall be binding on the district and the employee. (Education Code 45113)

The Board of Trustees reserves the right to reduce, sustain, or increase the discipline set forth in the notice referenced in the Notification of Charges. If the employee does not request a hearing, the discipline shall be imposed as set forth in the notice of disciplinary action.

If the discipline hearing is conducted by a hearing officer, or attorney he/she shall prepare a proposed decision in a form that may be adopted by the Board as the decision in the case. A copy of the proposed decision shall be received and filed with the Board and furnished to each party within ten days after the proposed decision is filed by the Board. The Board may:

a. Adopt the proposed decision in its entirety.
b. Reduce or increase the discipline set forth in the proposed decision and adopt the balance of the proposed decision.
c. Reject the proposed decision in its entirety.

If the Board rejects the proposed decision in its entirety, each party shall be notified of such action and the Board may decide the case upon the record including the transcript, with or without the taking of additional evidence, or may refer the case to the same or another hearing officer or attorney to take additional evidence. If the case is assigned to a hearing officer, he/she shall prepare a proposed decision upon the additional evidence and the transcript and other papers which are part of the record of the prior hearing. A copy of this proposed decision shall be furnished to each party within 10 days after the proposed decision is filed by the Board.
Suspension Without Pay

A classified employee against whom a recommendation for disciplinary action has been issued may remain on active duty or may be placed on paid leave pending a hearing on the charges. The employee shall not be suspended without pay, suspended or demoted with a reduction in pay, or dismissed pending the outcome of a timely requested hearing, except as specified below. (Education Code 45113)

The disciplinary action may be imposed prior to the decision if the Board, or an impartial third-party hearing officer provided pursuant to a collective bargaining agreement, finds by a preponderance of the evidence that at the time discipline was imposed, the employee (1) engaged in criminal misconduct, (2) engaged in misconduct that presents a risk of harm to students, staff, or property, or (3) committed habitual violations of the district's policies or regulations. Such finding(s) must be made at the conclusion of the Skelly review process. (Education Code 45113)

**CLASSIFIED EMPLOYEE DISCIPLINE—UNREPRESENTED EMPLOYEES (continued)**

In such cases where the disciplinary action is imposed prior to the decision, the employee shall be given written notice of the disciplinary action and the findings made at the conclusion of the Skelly review process. Such written notice shall be served upon the employee personally or by certified mail.

The employee shall be entitled to the following:
1. Be represented by counsel or any other person at such hearing;
2. Testify under oath;
3. Cross-examine all witnesses;
4. Present evidence;
5. Argue the case.

Evidence

The hearing shall be informal and need not be conducted according to technical rules relating to evidence and witnesses. Irrelevant and repetitious evidence shall be excluded. Oral evidence shall be taken only under oath or affirmation. The procedure entitled "Administrative Adjudication" commencing with Government Code 11500 shall not apply to any such hearing before the Board or a hearing officer. Neither the Board nor a hearing officer shall be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made or approved by the hearing officer or the Board.

Report of Hearings

Hearings may be conducted without stenographic reported or electronic recording machine unless the employee requests in writing, at least three (3) full business days before the day set for the hearing, that such hearing be reported or recorded and pay the cost or fee for such reporting or recording.

Transcripts of Hearings

The cost of any transcript shall be borne by the party requesting the transcript. If all parties wish to have transcripts, the cost shall be borne equally among the parties.

Judicial Review

Any action in court or any other dispute resolution process regarding any discipline shall be filed, if at all, within ninety (90) calendar days of the date the Board of Trustees renders a decision if a hearing is requested or within ninety (90) calendar days of the date the discipline is imposed. If such action is not filed within said ninety (90) days then no action shall thereafter be filed and any attempt to file such action is null, void, and of no force or effect.

**PERSONNEL** **BP 4218.7**

**CLASSIFIED EMPLOYEE DISCIPLINE—UNREPRESENTED EMPLOYEES (continued)**

Compulsory Dismissal

The district shall not employ or retain in employment any person who has been convicted of any sex offense as defined in Education Code 44010 or any controlled substance offense as defined in Education Code 44011. If, however, any such conviction is reversed and the person acquitted or charges dismissed, except as otherwise provided below, the employee may be reemployed by the district, although reemployment is not a guarantee. (Education Code 45123)

The district reserves the right to dismiss an employee for any acts upon which the original criminal charges were based, despite the disposition by a court of law. If dismissal is recommended by the Board and upheld, an employee will not be reemployed nor compensated for the time he/she was suspended unless otherwise required by law. An employee shall be given notice of the possibility of not being reimbursed during mandatory suspension if he/she is ultimately dismissed for the acts upon which the original charges were based.

Board Adopted: December 6, 2006
Board Revised: November 5, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4222**

## TEACHER AIDES/PARAPROFESSIONALS

The Governing Board recognizes that teacher aides/paraprofessionals support student learning by providing valuable assistance to teachers and other certificated personnel and enabling greater individualized instruction and supervision of students. Such employees may perform instructional and/or administrative tasks in accordance with law, Board policy and administrative regulation.

Each teacher aides/paraprofessionals shall be provided with a clear definition of his/her roles and responsibilities.

Teacher aides/paraprofessionals shall be under the immediate supervision and direction of certificated personnel.

In determining the assignment of paraprofessionals, the Superintendent or designee shall consider the greatest benefit to students based on such factors as class size, grade levels, student needs, subject matter and teacher workload.

The Superintendent or designee shall ensure that all teacher aides/paraprofessionals have appropriate training for their positions, ongoing support and regular performance assessments. Teachers shall receive training in how to collaborate effectively with an assistant and are expected to assign duties consistent with written job descriptions for teacher aides/paraprofessionals.

(cf. 4020 – Inservice Training [EESD])

The Board encourages qualified teacher aides/paraprofessionals to pursue opportunities that lead to attainment of a teaching credential and enable them to increase their skills and experience in the classroom.

(cf. 4112.2 – Certification [CSBA, NCLB])

*Legal Reference:*
*EDUCATION CODE*
*44390-44393 California School Paraprofessional Teacher Training Program*
*44833 Postsecondary students as non-teaching aides*
*44835 Duties of non-teaching work study aides*
*45330 Paraprofessionals*
*45340-45349 Instructional aides*
*45350-45354 Teacher assistants*
*45360-45367 Teacher aides*
*54480-54486 Special Teacher Employment Prog.*
*CODE OF REGULATIONS, TITLE 5*
*12065-12070 Teacher aides for Special Teacher Employment Programs*
*UNITED STATES CODE, TITLE 20*
*6311 State plans*
*6319 Qualifications for teachers and paraprofessionals Mgmt Resources:*
*U.S. DEPARTMENT OF EDUCATION PUBLICATIONS*
*Roles for Education Paraprofessionals in Effective Schools, 1997*
*WEB SITES*
*CTC Paraprofessional Teacher Training Program: http://www.ctc.ca.gov/para; CDE: http://www.cde.ca.gov*
*U.S. Department of Education: http://www.ed.gov*
*California School Employees Association: http://www.csea.com*
*National Resource Center for Paraprofessionals: http://www.nrcpara.org*
*National Clearinghouse for Para-educator Resources: http://www.usc.edu/dept/education/CMMR/Clearinghouse.html*

Date Adopted: December 3, 2003

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4222**

## TEACHER AIDES/PARAPROFESSIONALS

Qualifications and Duties of Teacher Aides/Paraprofessionals

No person shall be initially assigned to assist in instruction as a teacher aide/ paraprofessional unless he/she has demonstrated proficiency in reading, writing and mathematics skills up to or exceeding that required for high school seniors pursuant to Education Code 51220(a) and (f) in the high school district that includes all or the largest portion of the district. (Education Code 45330, 45344.5, 45361.5)

A teacher aide/paraprofessional that has passed a comparable proficiency test in another district shall be considered to have met the district's proficiency standards. (Education Code 45344.5, 45361.5)

Instructional aides shall perform only such duties as, in the judgment of the certificated personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. (Education Code 45344)

Instructional aides need not perform their duties in the physical presence of the teacher, but the teacher shall retain responsibility for the instruction and supervision of the students in his/her charge. (Education Code 45344)

Qualifications and Duties of Teacher Aides/Paraprofessionals in Title I Programs

All teacher aides/paraprofessionals hired after January 8, 2002, to work in a program supported by federal Title I funds shall have received a high school diploma or its equivalent. (20 USC 6319; Education Code 45330)

In addition, such teacher aides/paraprofessionals shall have met at least one of the following criteria: (20 USC 6319; Education Code 45330)

1. Completed at least 48 units of study at an institution of higher education.

2. Obtained an associate's degree or higher.

3. In a manner other than receipt of a high school diploma, met a rigorous standard of quality and demonstrated, through a locally determined assessment, knowledge of and the ability to assist in instructing either:

    a. Reading, writing and mathematics.

    b. Reading readiness, writing readiness and mathematics readiness.

**TEACHER AIDES/PARAPROFESSIONALS (continued)**

All teacher aides/paraprofessionals hired before January 8, 2002, and working in a program supported by Title I funds shall satisfy one of the above requirements by January, 2006. (20 USC 6319; Education Code 45330)

Teacher aides/paraprofessionals hired on or before January 1, 2003, shall be deemed to have met the proficiency exam requirements of item #3 above if he/she has previously demonstrated, through a locally determined assessment, knowledge of, and an ability to assist in, instructing reading, writing and mathematics. (Education Code 45330)

Items #1-3 above shall not apply to any teacher aide/paraprofessional who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in Title I programs by acting as a translator, or whose duties consist solely of conducting parental involvement activities consistent with 20 USC 6318. (20 USC 6319; Education Code 45330)

Teacher aides/paraprofessionals working in a program supported by Title I funds may be assigned to: (20 USC 6319)

1. Provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher.
2. Assist with classroom management, such as organizing instructional and other materials.
3. Provide assistance in a computer laboratory.
4. Conduct parental involvement activities.
5. Provide support in a library or media center.
6. Act as a translator.
7. Provide instructional services to students, provided that the paraprofessional is working under the direct supervision of a teacher.

Title I teacher aides/paraprofessionals may assume limited duties that are assigned to similar personnel in non-Title I programs, including duties beyond classroom instruction or that do not benefit Title I students, in the same proportion of total work time as non-Title I teacher aides/paraprofessionals. (20 USC 6319)

The principal of each school operating a Title I program shall annually attest in writing as to whether the school is in compliance with federal requirements regarding the qualifications and duties of teacher aides/paraprofessionals listed above. Copies of attestations shall be

**TEACHER AIDES/PARAPROFESSIONALS (continued)**

maintained at the school and district office and shall be available to the public upon request. (20 USC 6319)

Parental Notification

At the beginning of each school year, parents/guardians shall be notified that they may request information regarding whether their children are provided services by teacher aides/paraprofessionals and, if so, their qualifications. (20 USC 6311)

Date Adopted: December 3, 2003
Date Revised: January 7, 2004

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT**

**PERSONNEL** **AR 4222 – E #1**

ATTESTATION REGARDING TITLE I TEACHER AIDES/PARAPROFESSIONALS

The following certification must be annually completed and signed by each principal in a school that operates a Title I program pursuant to 20 USC 6314 (schoolwide programs) and 20 USC 6315 (targeted assistance schools).

School:_____
Principal:_____

1. I certify that every teacher aides/paraprofessional hired after January 8, 2002, and working in a program supported by Title I funds, unless he/she is exempted by law, has received a high school diploma or its equivalent and has met at least one of the following criteria pursuant to 20 USC 6319:

   a. Completed at least 48 units of study at an institution of higher education.

   b. Obtained an associate's or higher degree.

   c. Met a rigorous standard of quality and demonstrated, through a locally determined assessment, knowledge of and the ability to assist in instructing either reading, writing and mathematics or reading readiness, writing readiness and mathematics readiness.

2. All teacher aides/paraprofessionals working in a Title I program are performing duties consistent with 20 USC 6319.

_____
Signature of Principal

Date Adopted: December 3, 2003
Date Revised: January 7, 2004 *(BP/AR 4222)*

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4300**

## ADMINISTRATIVE AND SUPERVISORY PERSONNEL

### Classified Senior Management Employees

A senior management employee is either a fiscal advisor to the Superintendent or an employee in the highest position not requiring certification in a principal district program area, with districtwide responsibility for formulating policy or administering the program. (EC 45108.5)

Employees holding positions designated as classified senior management positions are entitled to all of the rights, benefits, and burdens of other classified employees, except that each senior management employee shall not obtain permanent status in the senior management position. (EC 45100.5, 45256.5)

Date: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4610**

## CERTIFICATION OF COMPETENCE IN EVALUATION

It is the intent of the Governing Board to certify that personnel assigned to evaluate teachers have demonstrated competency in instructional methodologies and evaluation. The Superintendent shall determine a program leading to certification and shall recommend to the Board qualified evaluators of teachers.

Date Adopted: May 3, 1984

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4610**

## CERTIFICATION OF COMPETENCE IN EVALUATION

Personnel in the Enterprise School District assigned to evaluate teachers must have demonstrated competencies in instructional methodologies in evaluation.

Criteria for certification of qualified evaluators shall include, but not be limited to:

1. Possession of a valid administrative credential.

2. Demonstrated competency in instructional methodologies.

3. Demonstrated skills in clinical supervision.

4. Demonstrated skills in techniques and procedures of evaluation.

5. Demonstrated understanding of district adopted curriculum priorities, policies, and practices, including development, implementation and evaluation.

6. Understanding of district adopted policies and procedures for personnel supervision, performance evaluation, and staff development.

The Superintendent will identify individuals in the District who are assigned to evaluate teachers. A determination will be made if these individuals meet the criteria established above. A program of professional development and improvement will be established with each evaluator.

Individuals meeting all requirements will be recommended to the Board as qualified evaluators of teachers.

*Legal Reference:*
*44660-44665 Evaluation and Assessment of Performance of Certificated Employees*
*44681-44689 Administrator Training and Evaluation*

Date Adopted: May 3, 1984
Revised: January 9, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**PERSONNEL** **BP 4635**

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE

The governing board is strongly committed to providing a safe, drug-free workplace. In addition, an employee substance abuse testing program is mandated for all employers regulated by the Department of Transportation (DOT) to help prevent accidents and injuries resulting from the misuse of alcohol or the abuse of controlled substances by drivers of commercial motor vehicles. For these reasons, we have initiated a program with Compliance Associates, Inc., a California Corporation (530) 241-2099 to comply with federal drug and alcohol testing regulations for *"safety sensitive function"* positions as prescribed in 49 CFR Parts 382 and 383 of the Federal Motor Carrier Safety Regulations.

Enterprise School District recognizes each individual's value and contribution to the services the company provides to their customers, therefore, this Policy is a *"zero tolerance"* policy. This Drug and Alcohol Testing Policy is intended to comply with Federal Motor Carrier Safety Administration (FMCSA) regulations, changes in which will supersede specific policy provisions. Enterprise School District retains the right to administer and interpret this Policy as it applies to their employees.

EFFECTIVE DATE

This policy is effective March 1, 2002.

ADDENDUM: It is District policy when a random drug test results in a possible dilution, an immediate retest under reasonable suspicion be conducted.

*Legal Reference:*

- *Education Code Section 35160 Authority of Governing Boards*
- *Transportation Employee Testing Act of 1991)*
- *Code of Federal Regulations, Title 49,*
- *40 Procedures for Transportation Workplace Drug and Alcohol Testing*
- *Programs 381*
- *Controlled Substance and Alcohol Use and Testing*
- *395 Hours of Service of Drivers*
- *Holiday vs. City of Modesto (1991) 229 Cal.App. ed. 528, 540*

Date Adopted: December 6, 1995
Date Revised: January 14, 2002, May 29, 2002

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4635**

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE

WHO WILL BE TESTED AND WHEN (49 CFR 382 and 383)

This policy is intended for those individuals employed in "safety sensitive function" positions also referred to as "**covered drivers**" as prescribed by the U.S. Department of Transportation and the Federal Motor Carrier Safety Administration under 49 CFR Part 382.107.

*Safety sensitive function* is defined in 49 CFR 382.107, as all time from the time an individual who is required to hold a commercial driver's license for their job begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Generally, covered drivers are operators of commercial motor vehicles or combination of vehicles which:

1) Are greater than 26,001 pounds GVWR
2) Carry hazardous materials in placardable quantities, or
3) Carry 16 or more passengers, including the driver.

Covered drivers may be tested for drugs or alcohol whenever they are ***on duty***. For the purposes of this Policy, "on duty" is defined as any time on the job, since covered drivers are expected to be ready to perform safety-sensitive driving functions on short notice.

Conversely, time spent in association with drug testing specimen collection and/or alcohol testing is considered "on-duty" time.

*Safety sensitive functions* shall include:

1) All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer:
2) All time inspecting equipment as required by 49 CFR Part 392.7 and Part 392.8.
3) All time spent at the driving controls of a commercial vehicle.
4) All time having to do with loading and/or unloading whether it be performing the function, assisting, supervising and remaining in readiness to operate the vehicle, or giving receipts for shipments loaded or unloaded.
5) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

PROHIBITIONS

FMCSA REGULATIONS SPECIFY the following prohibitions:

1. Employees subject to safety sensitive function positions must not use alcohol within four (4) hours prior to reporting for duty ("pre-duty use").
2. Employees subject to safety sensitive function positions are prohibited from possessing alcohol while on duty (unless the alcohol is manifested); from using alcohol while on duty; and from having alcohol present in their systems at level of 0.02*g*/210 L* or greater while on duty.
3. Employees subject to safety sensitive function positions are prohibited from using alcohol after an on-the-job vehicle accident until:

    a. Anti-drug Program Manager or his/her designated alternate has determined that Alcohol testing is not required,
    b. A breath alcohol test has been completed, OR
    c. Eight (8) hours have passed since the accident.

4. Employees subject to safety sensitive function positions will be considered as a refusal to submit to a urine or breath specimen when the following conditions occur:

    a. Failure to provide adequate breath for alcohol testing, without a valid medical explanation.
    b. Failure to provide an adequate urine sample for controlled substances testing
    c. Refusal of a controlled substance and/or alcohol test will be considered a positive test.

5. Refusal by employees subject to safety sensitive function positions to submit to a urine or breath specimen when required by federal regulations will have the same consequences as a positive test, and result in the immediate removal of the employee from duty.

This policy specifically prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace, as described in the Drug-Free Workplace Act of 1988. It also prohibits employees from reporting for duty or being on duty with evidence of alcohol, controlled substances or illegally obtained prescription medications, in their systems. Violation of these prohibitions will lead to administrative action, up to and including termination of employment.

**PERSONNEL** **AR 4635**

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

EDUCATION AND TRAINING

As required by 49 CFR Part 382.601(a), (b)(11), (d), information will be given to all employees on this Drug and Alcohol Policy. Employees will be required to sign a form acknowledging receipt of this information.

Controlled substances abuse and alcohol misuse have proven to be detrimental to a persons physical and mental health. At the time of hire, new employees subject to safety sensitive function positions will receive a copy of the Drug and Alcohol Testing Policy and be informed of their responsibilities with respect to compliance with Federal drug and alcohol testing regulations.

> As required by 49 CFR Part 382.603, Employers and/or Supervisors of employees subject to safety sensitive function positions who may be required to make "reasonable suspicion" determinations will receive training on recognition of the physical, behavioral, speech and performance indicators of probable drug and alcohol use. The duration of the training will be at least sixty minutes EACH for controlled substances abuse and alcohol misuse recognition.

EMPLOYEE ASSISTANCE PROGRAM

The only assistance available to employees subject to safety sensitive function positions who have tested positive and been removed from their safety sensitive function position(s) under 49 CFR Part 382.601 (b)(9) is referral assistance.

PRESCRIPTION MEDICATIONS (382.213 and 392.4(c))

Independent of 49 CFR Part 382, therefore under this policy, employees subject to safety sensitive function positions are **specifically required** to notify their Employer and/or immediate Supervisors when they are taking medication with **warning labels** (i.e.: relating to the operation of a vehicle, heavy equipment, or machinery).

INVESTIGATION OF PREVIOUS TESTING (49 CFR Part 382.413)

As a condition of employment under 49 CFR Part 382.413, applicants for safety sensitive function positions will be required to authorize previous employers to release specific information regarding previous controlled substances and alcohol tests for all employers in the preceding two years.

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

TYPE OF DRUG AND ALCOHOL TESTING REQUIRED

The following are occasions for drug and/or alcohol testing under this Policy.

Pre-employment testing (49 CFR Part 382.301)
Pre-employment drug testing is required for all employees subject to safety sensitive function positions.

Under this policy, if pre-employment drug test results show a possible dilution the applicant will be disqualified for employment at that time. The applicant may re-apply after six (6) months from date of the original pre-employment test.

Drug test results, which are verified as positive for unauthorized use of controlled substances, will disqualify the applicant for the covered driver position.

Random testing (49 CFR Part 382.305)
Definition of Random Test: A random test is a test that is unannounced, and where every person in the random selection "pool" has an equal chance of being selected for testing each time a selection occurs. Random testing is considered to be an effective deterrent to substance abuse. Employees subject to safety sensitive function positions are required to be randomly tested under DOT regulations.

Method of Random Selection: Current percentage requirements state that number of drug tests equal to at least 50% of the number of individuals in the Future Trucking Professionals, Inc. consortium will be performed. This will be completed annually, as required by DOT drug testing regulations; current percentage requirements state that a number of alcohol tests equal to at least 10% of the number of individuals in the Future Trucking Professionals, Inc. consortium will be completed annually.

Procedure for Notification and Specimen Collection: The Program Coordinator of Future Trucking Professionals, Inc. will notify the employer(s) of which covered driver(s) came up in the random draw and must report to the clinic for testing.

The employer(s) will notify the employee(s) of their report time to the designated clinic.

A random drug test resulting in a possible dilution will result in an immediate retest under reasonable suspicion.

**PERSONNEL** **AR 4635**

**DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)**

Reasonable Suspicion testing (49 CFR Part 382.307)
"Reasonable suspicion" means that an individual that has been trained in reasonable suspicion recognition has reason to believe that an employee may be impaired, intoxicated or under the influence of a controlled substance or alcohol.

Examples of reasonable suspicion may include:

1. Direct observation of drug abuse and/or physical symptoms of being under the influence of drugs or alcohol while at work;
2. Abnormal conduct or erratic behavior while at work;
3. Unusual absenteeism, tardiness or deterioration in work performance documented over a period of time;
4. A report based on a reasonable belief, of drug abuse or alcohol use on the job;
5. Information that the employee has caused or contributed to a work-related accident.

Those who make a decision to test an employee will be trained in identifying appearance or conduct that indicate the possible controlled substances abuse or misuse of alcohol.

*Post-accident Testing (49 CFR Pat 382.303)*
Under this policy any employee subject to a safety sensitive function position who is involved in a "reportable accident" will be required as soon as practicable following an occurrence involving a commercial motor vehicle, to provide a urine specimen for the purpose of drug screening and/or submit themselves to a Breath Alcohol Technician for an alcohol test.

A *reportable accident* under Federal Motor Carrier Safety Administration regulations is defined as an accident in which a covered driver was operating a commercial motor vehicle and in which:

TABLE FOR 382.303 (a)(3)

| Type of accident involved | Citation issued to the CMV driver | Test must be performed by employer |
|---|---|---|
| Human Fatality | YES | YES |
| " " | NO | YES |
| Bodily injury with immediate medical Treatment away from the scene. | YES | YES |
| " " " " | NO | NO |
| Disabling damage to any motor vehicleRequiring tow away. | YES | YES |
| " " " " | NO | NO |

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

UNDER FMCSA REGULATIONS, employees involved in a reportable accident are required to be:

- Drug tested as soon as possible, but in no case later than 32 hours after the incident.
- Tested for alcohol as soon as possible, but in no case later than 8 hours after the accident.

*An agent and/or employee who is seriously injured and cannot provide a specimen for testing may be requested to authorize the release of relevant hospital records and/or other documentation that would indicate whether there were any controlled substances in his/her system at the time of the accident.*

Return to Duty (49 CFR Part 382.309) and Follow-up Testing (49 CFR Part 382.311)
Under this "*zero tolerance"* policy there will be no return to duty or follow-up testing.

DRUG AND ALCOHOL TESTING PROCEDURES (49 CFR Part 382.105)

Drug Testing

1. Urine specimen collection for drug testing will be performed by qualified individuals in conformance with current standards of practice, using chain of custody procedures specified by FMCSA regulations (49 CFR Part 40). All testing will be performed with respect for the privacy and dignity of the person giving the specimen.
   a. Drug test specimens will be collected to provide at least 30mL of urine in a "primary specimen" shipping bottle and at least 15mL of urine in a "split specimen" shipping bottle, as described in Appendix B.

2. Only laboratories certified by the Substance Abuse and Mental Health Administration (SAMHSA) of the U.S. Department of Health and Human Services (previously NIDA") will perform drug testing.

3. When an initial screening test for drugs is positive, a second, confirmatory test will automatically be performed. Confirmed positive drug tests will be reported by the testing laboratory to the Medical Review Officer (MRO) for verification. The MRO will then notify Future Trucking Professionals, Inc., Program Manager who will in turn notify the employer.

4. Future Trucking Professionals, Inc. will provide the required blind sample performance test specimens required by the Department of Transportation (DOT) under CFR 40 Part 31.

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

Breath Alcohol Testing

1. Breath Alcohol testing will be performed only by qualified Breath Alcohol Technicians (BAT). Testing will be conducted using evidential breath alcohol testing devices listed on the Conforming Products List of the National Highway Traffic Safety Administration.
2. A breath alcohol test with results below 0.02 requires no further action.
3. Breath alcohol tests with results of 0.02 or above will be confirmed as follows:

    a. The individual being tested is instructed not to smoke, use mouthwash, drink or eat for a period of 15 minutes.
    b. Within 30 minutes of completion of the initial screening test, a confirmation breath test is conducted per 49 CFR Part 40. The result is recorded in the "Confirmation Test Results" section of the Alcohol test form.
    c. In instances where a confirmation breath test must take place at another location the time of transit between sites counts toward the waiting period. The donor must be observed during the waiting period. If the waiting period exceeds 30 minutes during the time of transit a confirmation test must still be conducted under 49 CFR 40.253, not another screening test.

4. If the result of the *confirmatory* breath alcohol test is 0.02 or greater, the BAT must immediately notify the employer, who will arrange for transportation of the individual from the alcohol-testing site. The BAT will then forward a copy of the Alcohol Test Form to Future Trucking Professionals, Inc.

DRUG TEST RESULTS REVIEW (49 CFR Part 382.407)

A drug test result on a covered driver will be considered positive ONLY if it is initially *confirmed* positive by gas chromatography-mass spectrometry (GC-MS), and has been reviewed and verified by the Medical Review Officer (MRO).

A POSITIVE drug test result is defined as the detection of any one or more of the substances listed in the table shown:

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

| Substance or Class | Initial Screening Cut-off | Confirmation Cut-off |
|---|---|---|
| Amphetamines | 1000*ng*/mL | 500*ng*/mL |
| Cocaine | 300*ng*/mL | 150*ng*/mL |
| Marijuana (THC) | 50*ng*/mL | 15*ng*/mL |
| *Opiate metabolites* | *2000ng/mL* | *2000ng/mL* |
| Codeine | | 2000ng/mL |
| Morphine | | 2000ng/mL |
| Phencyclidine (PCP) | 25*ng*/mL | 25*ng*/mL |
| Ethanol (alcohol) | 16*mg*/dL | 16*mg*/dL |

A *confirmed* positive test from a certified laboratory does not automatically identify an agent, employee or applicant as having used drugs in violation of a DOT regulation. The MRO brings detailed knowledge of possible alternate medical explanations to his or her review of the test results. This review is performed by the MRO prior to the transmission of *confirmed* results to employers and/or employer.

Medical Review Officer Role

The MRO is a consulting physician who is a licensed doctor of medicine or osteopathy with knowledge of substance abuse disorders, symptoms, treatment, and toxicology. The MRO's primary function is to review, interpret and report positive test results of the agent, applicant or employee. The MRO or his/her authorized representative will also report negative test results.

Before reporting a positive drug result on a covered driver, the MRO will give the "donor" (agent, employee or applicant) a chance to discuss it. If a prescription drug is involved, the donor will be asked to provide the name of the medication and the prescribing physician's name for verification.

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

The MRO may review the agent, employee, or applicant's medical history, any relevant biomedical factors, and medical records made available by the agent, employee or applicant to determine whether a positive test resulted from legally prescribed medication before verifying a test as "positive" or "negative."

The MRO may communicate a positive result on a covered donor to the Future Trucking Professionals, Inc. Consortium Program Coordinator if:

1. The donor has told the MRO or his authorized representative that he/she does not wish to discuss the results of the test; or
2. The MRO has spoken with the donor, and has concluded that the positive drug test result indicates unauthorized use of a controlled substance; or
3. The MRO cannot reach the donor, and has asked the employer and/or Future Trucking Professionals, Inc. Program Coordinator to contact the donor and relay the message to contact the MRO; and/or the donor has not responded within 5 days of documented receipt of the message.

   NOTE: If a test is verified positive under the latter circumstances, the donor may give the MRO information documenting that serious illness, injury, or other circumstances unavoidably prevented him or her from contacting the MRO. On the basis of this information, the MRO may re-open the verification, allowing the donor to present information concerning a legitimate explanation for the positive test. If the MRO concludes that there is a legitimate explanation, the MRO shall verify the test as negative.

Upon verifying a test as a confirmed positive, the MRO will inform the donor of the option of having the "split" portion of his or her specimen tested. The donor must notify the MRO of a desire to exercise this option within 72 hours of being notified of the positive result. Payment for testing of the "split" specimen must be presented to the MRO or his designated representative in advance at which time the MRO will direct the testing laboratory to ship the "split" specimen to a second SAMHSA certified laboratory of the donor's choice.

Communication of Results

The MRO or his/her designated representative will report test results to the Future Trucking Professionals, Inc. Program Coordinator. Confidentiality will be strictly maintained. If the result is positive, the MRO or his authorized representative will report the identity of the controlled substance.

Agents, employees and applicants may obtain copies of their test results by requesting them in writing from the MRO within 60 days of being notified of the results.

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

FAILURE TO COOPERATE (49 CFR Part 382.211)

Any covered driver who refuses to take a drug or alcohol test to comply with FMCSA (49 CFR Part 382) will be immediately removed from duty performing a safety sensitive function as required by these federal regulations.

DISCIPLINARY ACTION AND PROCEDURES (49 CFR 382.111)

Enterprise School District has the right and obligation to determine levels of discipline for their employees under this Policy.

The following are the disciplinary actions and procedures that Enterprise School District has adopted as their company policy:

1. Otherwise qualified applicant for a covered driver position whose drug test results are negative; will be considered qualified for the position offered.
    - Applicants with verified positive drug test results would be considered ineligible for the position.
2. Any covered driver found to be in violation of this Drug and Alcohol Testing Policy will be subject to termination.
3. A covered driver determined to have evidence of alcohol in his/her system of 0.01 but below 0.04*g* will be subject to prompt disciplinary action:
    a. On the first occasion in any two-year period in which a covered driver has a breath alcohol test result of 0.01g or greater, but less than 0.04*g*, will be immediately removed from duty for a period of at least 24 hours. The time away from work may be considered leave of absence without pay. No further alcohol testing will be required prior to resuming work at the end of the 24-hour period.
    b. The second occasion in any two-year period in which a covered driver has a breath alcohol test result of 0.01*g* or greater, but less than 0.04*g*, will be considered a violation of this Policy, and will subject the employee to termination.
4. Covered drivers who have had verified positive drug test or a confirmed alcohol result of 0.04g or above will be terminated.

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

RECORDKEEPING PROCEDURES (49 CFR Part 382.401)

Future Trucking Professionals, Inc. consortium will maintain drug and alcohol testing records in a secure filing system copies will be made available to employers.

A driver is entitled, *upon written request*, to obtain copies of any records concerning his/her use of alcohol or controlled substances. Requests for such information shall be directed to the employer.

Information regarding an individual's drug test results or rehabilitation may be released only upon written consent of the individual, except:

1. Such information must be released to the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its drivers.

2. Such information may be disclosed in a lawsuit, grievance, or other proceeding initiated by or on behalf of the covered driver and arising from an alcohol test and/or verified positive drug test or from your employer determination that the driver engaged in conduct prohibited by FMCSA regulations.

3. When requested by the National Transportation Safety Board as part of an accident investigation, Future Trucking Professionals, Inc. will disclose information regarding post accident alcohol and/or drug testing.

The employer shall release information regarding a covered driver's records to a subsequent employer **only upon receipt of a written request** specifically authorizing release of the records to an identified person.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**PERSONNEL** **AR 4635**

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

Record Retention

Future Trucking Professionals, Inc. consortium and their authorized employer, will maintain the following schedule of RECORDKEEPING:

| | |
|---|---|
| * Negative and canceled drug test records; record of alcohol test results less than 0.02 | 1 year |
| * Specimen collection/alcohol test records; | 2 years |
| * Records of supervisor training | Indefinitely |
| * Records of verified positive drug test results; alcohol test results of 0.02 or greater; refusals to be tested for drugs and/or alcohol; SAP evaluations and referrals | 5 years |
| * Documentation of EBT calibration | 5 years |
| * Calendar year record of total number of employees tested results of tests. | 5 years |

*Legal Reference:*

- *Education Code Section 35160 Authority of Governing Boards*
- *Transportation Employee Testing Act of 1991)*
- *Code of Federal Regulations, Title 49,*
- *40 Procedures for Transportation Workplace Drug and Alcohol Testing*
- *Programs 381*
- *Controlled Substance and Alcohol Use and Testing*
- *395 Hours of Service of Drivers*
- *Holiday vs. City of Modesto (1991) 229 Cal.App. ed. 528, 540*

Date Adopted: December 6, 1995
Date Revised: January 14, 2002, May 29, 2002

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

### GLOSSARY OF TERMS

ADULTERATED SPECIMEN:
A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

ALCOHOL SCREENING TEST:
An analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

BAT: Breath Alcohol Technician:
A person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device.

CANCELED TEST:
A drug or alcohol test that has problem identified that cannot be or has not been corrected, or which under Part 40 is required to be canceled. A canceled test is neither a positive nor a negative test.

CHAIN of CUSTODY:
The procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed.

CONFIRMED DRUG TEST:
A confirmation test result received by an MRO from a laboratory.

CONSORTIUM/THIRD-PARTY ADMINISTRATOR (C/TPA):
A service agent that provides or coordinates the provision of a variety of drug and alcohol testing services to employers C/TPA's typically perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a singe entity, the DOT drug and alcohol testing programs fit its members. C/TPA's are not "employers" for the purposes of Part 40.

DESIGNATED EMPLOYER REPRESENTATIVE (DER):
An employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of Part 40.

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

DILUTE SPECIMEN:
A specimen with creatinine and specific gravity values that are lower than expected for human urine.

GVWR: **G**ross **V**ehicular **W**eight **R**ating:
Size criterion for determining classification of a commercial motor vehicle under Federal regulations.

INITIAL DRUG TEST:
The first test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

LABORATORY:
Any U.S. laboratory certified by Health and Human Services (HHS) under the National Laboratory Certification Program that meets the minimum standards of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by the Department of Transportation.

MRO: **M**edical **R**eview **O**fficer:
The MRO is a licensed physician who is a doctor of medicine or osteopathy with knowledge of controlled substance abuse disorders, symptoms, treatment, and toxicology. The MRO is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanation for certain drug test results.

ODAPC**: O**ffice of **D**rug and **A**lcohol **P**olicy and **C**ompliance. The office in the Office of the Secretary, DOT, that is responsible for coordinating drug and alcohol testing program matters within the Department and providing information concerning the implementation of this part.

ON DUTY:
Any time a covered driver is considered to be performing a safety sensitive function during any period in which he/she is actually performing, ready to perform, or immediately available to perform any safety sensitive functions.

PRIMARY SPECIMEN: In drug testing, the urine specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing.

**PERSONNEL** **AR 4635**

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

RANDOM TESTING:
Computerized random selection and testing for drugs and alcohol in which each person in the computer database has an equal chance of selection each time a selection occurs, in accordance with regulatory requirements.

REASONABLE SUSPICION:
"Reasonable suspicion" means that an individual that has been trained in reasonable suspicion recognition has reason to believe that an employee may be impaired, intoxicated or under the influence of a controlled substance or alcohol.

REFUSAL TO SUBMIT:
No driver shall refuse to submit to a post-accident alcohol or controlled substances test, a random alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substances test, or a follow-up alcohol or controlled substances test. No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

SAMHSA: **S**ubstance **A**buse and **M**ental **H**ealth **S**ervices **A**dministration:
A division of the U.S. Department of Health and Human Services (DHHS) which is responsible that is responsible for certifying laboratories to perform medical federal workplace drug testing.

SERVICE AGENT: Any person or entity, other than an employee of the employer, who provides services to employers and/or employees in connection with DOT drug and alcohol testing requirements. This includes, but is not limited to, collectors, BATs and STTs, laboratories, MROs, Substance Abuse Professionals, and C/TPAs.

SPLIT SPECIMEN COLLECTION:
In drug testing, a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

SUBSTANCE ABUSE PROFESSIONAL:
A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare.

SUBSTITUTED SPECIMEN:
A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

## DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO COMMERCIAL DRIVER'S LICENSE (continued)

QUALIFICATION TRAINING: The training required in order for a collector, BAT, MRO, SAP, or STT to be qualified to perform their functions in the DOT drug and alcohol-testing program. Qualification training may be provided by any appropriate means (e.g., classroom instruction, Internet application, CD-ROM, video).

VERIFIED TEST:
A drug test result or validity testing result from a HHS-certified laboratory that has undergone review and final determination by the MRO.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5020**

## PARENT RIGHTS AND RESPONSIBILITIES

The Governing Board recognizes that parents/guardians of district students have certain rights as well as responsibilities related to the education of their children.

The Board believes that the district's relationship with parents/guardians is one of mutual support and respect. The Superintendent or designee shall work with parents/guardians, including parents/guardians of English learners, to determine appropriate roles and responsibilities of parents/guardians for continuing the intellectual, physical, emotional, and social development and well-being of their students, including the means by which the district and parents/guardians can help their students achieve academic and other standards of the district.

Within this framework, the district's primary responsibility shall be to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all students to meet the academic expectations of the district.

Parents/guardians shall have the opportunity to work with schools in a mutually supportive and respectful partnership and to help their children succeed in school. (EC 51100)

The Superintendent or designee shall ensure that district staff understand the rights of parents/guardians afforded by law, Board policy, and administrative regulation, and follow acceptable practices that respect those rights.

The Superintendent or designee shall ensure that parents/guardians receive notification regarding their rights, including, but not limited to, their rights in accordance with 20 USC 1232g and 34 CFR 99.1-99.8, the federal Family Educational Rights and Privacy Act (FERPA), and as specified in Board Policy/Exhibit (1) 5145.6 - Parent/Guardian Notifications.

When required by law, Board policy, or administrative regulation, the district shall notify parents/guardians that they may request to opt their student out of certain instruction. Students for whom the district has approved the opt out shall be offered an alternative activity of similar educational value.

The Superintendent or designee shall take all reasonable steps to ensure that all parents/guardians who speak a language other than English are properly notified in English, and in their home language, of the rights and opportunities available to them pursuant to Education Code 48985. 51101.1)

The Superintendent or designee may establish a parent center at a school with a substantial number of students with a home language other than English, to encourage parent/guardian.

Date Adopted: December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINITRATIVE REGULATION**

**STUDENTS** **AR 5020**

## PARENT RIGHTS AND RESPONSIBILITIES

### Parent/Guardian Rights

The rights of parents/guardians of district students include, but are not limited to, the following:

1. To observe, within a reasonable period of time after making the request, the classroom(s) in which their child is enrolled or for the purpose of selecting the school in which their child will be enrolled (EC 51101)

   Parents/guardians may observe instructional and other school activities that involve their child in accordance with Board policy and administrative regulations adopted to ensure the safety of students and staff, prevent undue interference with instruction or harassment of school staff, and provide reasonable accommodation to parents/guardians. Upon written request by a parent/guardian, the Superintendent or designee shall arrange for parental observation of a class or activity in a reasonable time frame and in accordance with Board policy and administrative regulations. (EC 49091.10)

2. To meet, within a reasonable time of their request, with their child's teacher(s) and the principal (EC 51101)

3. Under the supervision of district employees, to volunteer their time and resources for the improvement of school facilities and school programs, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher (EC 51101)

4. To be notified on a timely basis if their child is absent from school without permission (EC 51101)

5. To receive the results of their child's performance and the school's performance on standardized tests and statewide tests (EC 51101)

   For parents/guardians of English learners, this right shall include the right to receive the results of their child's performance on the English language development test. (EC 51101.1)

6. To request a particular school for their child and to receive a response from the district (EC 51101)

7. To have a school environment for their child that is safe and supportive of learning (EC 51101)

8. To examine the curriculum materials of the class(es) in which their child is enrolled (EC 51101; 20 USC 1232h)

   Parents/guardians may inspect, in a reasonable time frame, all primary supplemental instructional materials and assessments including textbooks, teacher's manuals, films, audio and video recordings,

**PARENT RIGHTS AND RESPONSIBILITIES (continued)**

and software, stored by the classroom teacher. (EC 49091.10)

Each school site shall make available to parents/guardians and others, upon request, a copy of the prospectus for each course, including the titles, descriptions and instructional aims of the course. (EC 49091.14)

The school may charge an amount not to exceed the cost of duplication if a hardcopy is created. (EC 49091.14)

9. To be notified of the opportunity to opt their child out of certain instruction, as required by law (EC 51240, 51938)

10. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child (EC 51101)

11. For parents/guardians of English learners, to support their child's advancement toward literacy (EC 51101.1)

    The Superintendent or designee may make available, to the extent possible, surplus or undistributed instructional materials to parents/guardians pursuant to Education Code 60510. (EC 51101.1)

12. For parents/guardians of English learners, to be informed, through the school accountability report card, about statewide and local academic standards, testing programs, accountability measures, and school improvement efforts (EC 51101.1)

13. To have access to the student records of their child (EC 51101)

14. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish (EC 51101)

15. To be informed in advance about school rules, including disciplinary rules and procedures in accordance with Education Code 48980, attendance policies, dress codes, and procedures for visiting the school (EC 51101)

16. To be notified, as early in the school year as practicable pursuant to Education Code 48070.5, if their child is identified as being at risk of retention, and of their right to consult with district personnel responsible for a decision to promote or retain their child and to appeal such a decision (EC 51101)

17. To receive notice and information about and to opt out of any psychological testing involving their child (EC 51101)

**PARENT RIGHTS AND RESPONSIBILITIES (continued)**

18. To receive notice and information about and to opt out of any assessment, analysis, evaluation, or monitoring of the quality or character of the student's home life, any form of parent/guardian screening or testing, any nonacademic home-based counseling program, parent/guardian training, or any prescribed family education service plan, and to inspect any survey collecting personal information (EC 49091.18; 20 USC 1232h)

19. To participate as a member of a parent advisory committee, school site council, or site-based management leadership team in accordance with any rules and regulations governing membership in these organizations (EC 51101)

    For parents/guardians of English learners, this right shall include the right to participate in school and district advisory bodies in accordance with federal and state law and regulations. (EC 51101.1)

20. To question anything in their child's student record that the parent/guardian feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school (EC 51101)

21. To provide informed, written parental consent before their child is tested for a behavioral, mental, or emotional evaluation

    A general consent, including medical consent used to approve admission to or involvement in a special education or remedial program or regular school activity, shall not constitute written consent for these purposes. (EC 49091.12)

22. For parents/guardians of English learners, to be given any required written notification, under any applicable law, in English and the student's home language pursuant to Education Code 48985 (EC 51101.1)

These rights shall be exercised in accordance with applicable Board policy and administrative regulation.

**Parent Responsibilities**

Parents/guardians may support the learning environment of their child by: (EC 51101)

1. Monitoring attendance of their child

2. Ensuring that homework is completed and turned in on time

3. Encouraging their child to participate in extracurricular and cocurricular activities

**STUDENTS** **AR 5020**

**PARENT RIGHTS AND RESPONSIBILITIES (continued)**

4. Monitoring and prohibiting or regulating the use of social media and other forms of online entertainment viewed by their child

5. Working with their child at home in learning activities that extend the classroom learning

6. Volunteering in their child's classroom(s) or for other school activities

7. Participating in decisions related to the education of their own child or the total school program, as appropriate

Date Adopted: December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5022**

## STUDENT AND FAMILY PRIVACY RIGHTS

The Governing Board respects the rights of district students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information.

The Superintendent or designee may collect, disclose, or use students' personal information for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following: (20 USC 1232h)

1. College or other postsecondary education recruitment or military recruitment

2. Book clubs, magazines, and programs providing access to low-cost literary products

3. Curriculum and instructional materials used by elementary and secondary schools

4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments

5. The sale by students of products or services to raise funds for school-related or education-related activities

6. Student recognition programs

The Superintendent or designee is prohibited from collecting, disclosing, or using a student's individually identifiable information, including his/her name, parent/guardian's name, home or other physical address, telephone number, or social security number, for the purpose of marketing or selling that information or providing the information to others for that purpose.

The Superintendent or designee shall consult with parents/guardians regarding the development of regulations pertaining to other uses of personal information, which shall, at a minimum, address the following: (20 USC 1232h)

1. Arrangements for protecting student privacy when collecting, disclosing, or using students' individually identifiable information for any purpose

2. Arrangements to protect student privacy in the administration of surveys that may request information about the personal beliefs and practices of students and their families

3. The rights of parents/guardians to inspect the following, and any applicable procedures for granting reasonable access to the following in a reasonable period of time:

**STUDENTS** **BP 5022**

**STUDENT AND FAMILY PRIVACY RIGHTS**

a. Survey instruments requesting information about their personal beliefs and practices or those of their children

b. Instructional materials used as part of their children's educational curriculum

c. Instruments used in the collection of personal information for the purpose of marketing or sale

4. Any nonemergency physical examinations or screenings that the school may administer

The Superintendent or designee shall notify parents/guardians of the adoption or continued use of the district's policy pertaining to the rights specified in items #1-4 above. (20 USC 1232h)

Date Adopted: January 7, 2004

Date Revised: December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5022**

## STUDENT AND FAMILY PRIVACY RIGHTS

### Surveys Requesting Information about Beliefs and Practices

A student's parent/guardian, or a student who is an adult or emancipated minor, shall provide prior written consent before the student is required to participate in a survey inquiring about one or more of the following: (EC 51513; 20 USC 1232h)

1. Political affiliations or beliefs of the student or his/her parent/guardian
2. Mental or psychological problems of the student or his/her family
3. Sexual behavior or attitudes or personal beliefs and practices in family life or morality
4. Illegal, anti-social, self-incriminating, or demeaning behavior
5. Critical appraisals of other individuals with whom the student has close family relationships
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers
7. Religious practices, affiliations, or beliefs of the student or his/her parent/guardian
8. Income, except to the extent that income is required to be disclosed by law for participation in a program or for receiving financial assistance under such a program

If a student participates in such a survey requesting information about personal beliefs and practices, school officials and staff members shall not request or disclose the student's identity.

Notwithstanding the above requirements for prior written consent, the district may administer to students in grades 7-12 anonymous, voluntary, and confidential research and evaluation tools to measure student health risks and behaviors, including tests and surveys about student attitudes or practices related to sex as long as parents/guardians are provided written notice and given an opportunity to request, in writing, that their child not participate. (EC 51938)

If the district administers a voluntary survey that already includes questions pertaining to sexual orientation and/or gender identity, the Superintendent or designee shall not remove such questions. (EC 51514)

### Parent/Guardian Access to Surveys and Instructional Materials

The parent/guardian of any district student, upon his/her request, shall have the right to inspect. (EC 51938; 20 USC 1232h)

**STUDENT AND FAMILY PRIVACY RIGHTS (continued)**

1. A survey or other instrument to be administered or distributed to his/her child that either collects personal information for marketing or sale or requests information about beliefs and practices

2. Any instructional material to be used as part of his/her child's educational curriculum

Within a reasonable period of time after receiving a parent/guardian's request, the principal or designee shall permit the parent/guardian to view the survey or other document he/she requested. A parent/guardian may view the document any time during normal business hours.

No student shall be subject to penalty for his/her parent/guardian's exercise of any of the rights stated above.

### Health Examinations

Authorized school officials may administer to any student any physical examination or screening permitted under California law. However, no student shall be subjected to a nonemergency, invasive physical examination without prior written notice to his/her parent/guardian, unless an applicable state law authorizes the student to provide consent without parent/guardian notification. (20 USC 1232h)

Invasive physical examination means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a properly authorized hearing, vision, or scoliosis screening. (20 USC 1232h)

### Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of: (20 USC 1232h)

1. The district's policy regarding student privacy

2. The process to opt their children out of participation in any activity described in this administrative regulation and the accompanying Board policy

3. The specific or approximate dates during the school year when the following activities are scheduled:

    a. Survey requesting personal information

**STUDENT AND FAMILY PRIVACY RIGHTS (continued)**

b. Physical examinations or screenings

c. Collection of personal information from students for marketing or sale

Prior to administering any anonymous and voluntary survey regarding health risks and behaviors to students in grades 7-12, the district shall provide parents/guardians with written notice that the survey is to be administered. (EC 51938)

Parents/guardians shall also be notified of any substantive change to this policy and administrative regulation within a reasonable period of time after adoption of the change. (20 USC 1232h)

Date Adopted: January 7, 2004

Date Revised: December 17, 2025

**STUDENTS** **BP 5030**

## STUDENT WELLNESS

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

### School Wellness Council

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b; 7 CFR 210.31)

To fulfill this requirement, the Superintendent or designee may appoint a school wellness council or other district committee and a wellness council coordinator. The council may include representatives of the groups listed above, as well as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

The Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.

The wellness council shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

### Goals for Nutrition, Physical Activity, and Other Wellness Activities

The Board shall adopt specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing such goals, the Board shall review and consider evidence-based strategies and techniques. (42 USC 1758b; 7 CFR 210.31)

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

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning

**STUDENT WELLNESS (continued)**

programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

Professional development may be regularly offered to the nutrition program director, managers, and staff, as well as health education teachers, physical education teachers, coaches, activity supervisors, and other staff as appropriate to enhance their knowledge and skills related to student health and wellness.

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

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

For all foods and beverages available on each campus during the school day, the district shall adopt nutrition guidelines which are consistent with 42 USC 1758, 1766, 1773, and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

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

The Superintendent or designee shall provide access to free, potable water in the food service area during meal times in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and by serving water in an appealing manner.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's reimbursable food services program, should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutrition standards.

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

**STUDENT WELLNESS (continued)**

He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks, which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of foods and beverages that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (EC 49431.9; 7 CFR 210.31)

**Program Implementation and Evaluation**

The Superintendent designates the individual(s) identified below as the individual(s) responsible for ensuring that each school site complies with the district's wellness policy. (42 USC 1758b; 7 CFR 210.31)

Head District Nurse, (530)224-4100, health@eesd.net
Food Services Director, (530)224-4100

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every three years. (42 USC 1758b; 7 CFR 210.31)

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

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the wellness council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

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

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements

2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records

3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program

4. Extent to which foods and beverages sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutrition standards

**STUDENT WELLNESS (continued)**

5. Extent to which other foods and beverages that are available on campus during the school day, such as foods and beverages for classroom parties, school celebrations, and rewards/incentives, comply with nutrition standards

6. Results of the state's physical fitness test at applicable grade levels

7. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity

8. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program

9. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.

The assessment results of both the district and state evaluations shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

**Notifications**

The Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available the public on an annual basis. He/she shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. (Education Code 49432; 42 USC 1758b; 7 CFR 210.31)

The Superintendent or designee shall distribute this information through the most effective methods of communication, including district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and wellness and academic performance.

Each school may post a summary of nutrition and physical activity laws and regulations prepared by the CDE.

**STUDENT WELLNESS (continued)**

**Records**

The Superintendent or designee shall retain records that document compliance with 7 CFR 210.31, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements, including requirements to make the policy and assessment results available to the public. (7 CFR 210.31)

Date Adopted: May 3, 2006

Date Revised: December 13, 2023

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5040**

## DISCIPLINE

The governing board believes that one of the major functions of the public schools is the preparation of youth for responsible citizenship. The district shall foster a learning environment which reinforces the concepts of self-discipline and the acceptance of personal responsibility. Students are expected to progress from being adult-directed to self-directed with minimal application of disciplinary measures.

In order to maintain an environment conducive to attaining the highest quality of education in the district, there must exist certain disciplinary policies and regulations relating to student conduct which delineates acceptable behavior and provides the basis for sound disciplinary practices within each school in the district. These policies and regulations will be enforced fairly and uniformly and consistently without regard to race, creed, color, or sex.

The administration, teachers, and classified staff share the mutual responsibility for student conduct and safety and the enforcement of district policies and regulations. The Board shall give all reasonable support and assistance to all employees with respect to the student discipline.

The Board recognizes that not all students will adhere to district rules for appropriate behavior. Sufficient support services shall be provided so that continually disruptive students will not be returned to regular classes without some modification of behavior. In accordance with Education Code 48900.1, the governing board also recognizes the right of the teacher to suspend a disruptive or defiant student from class, and to require the parent to attend class with the student as one form of behavior modification. Students may be assigned to other alternative programs or be subject to removal from school.

In order to ensure that school site and transportation rules for student discipline are enforced fairly and uniformly and consistently, the superintendent shall establish procedures for the development of such rules. All such rules shall be strictly based on district policy, regulation, and existing law.

All avenues provided in policy, regulation, and law for the discipline of students may be utilized in developing site level and transportation rules. These include but are not limited to advising and counseling students, conferencing with parents/guardians, restriction of recess time, detention during and after school hours, alternative educational environments and, if necessary, suspension and expulsion.

Special care shall be taken to solicit the views of the school community, including administrators, teachers, parents, and students in developing the site level rules.

The adoption of each school's rules on student discipline is the responsibility of the school principal and the school site council.

**STUDENTS** **BP 5040**

**DISCIPLINE (continued)**

All adopted school site rules shall be reported to the Board for review once every three years. The Board may request that school rules be placed on the action agenda for approval, revision, or dismissal.

Notice to Parents/Guardians and Students

The principal of each school shall ensure that the availability of every student and his/her parent/guardian is notified in writing of all Board policies, administrative regulations, and individual school rules related to discipline at the beginning of each school year and that transfer students and their parents/guardians are so advised at the time of enrollment in school.

The notice shall include the fact that these rules and regulations are available on request at the principal's office in all district schools.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. School administrators and teachers shall employ other means of disciplining students who violate school rules, district regulations, or district policies.

The use of reasonable and necessary force by an employee to protect oneself or students or to prevent damage to district property shall not be considered corporal punishment for purposes of this policy (Education Code 49001).

*Legal Reference:*
*EDUCATION CODE 35146 Closed sessions*
*35291 Rules*
*35291.5 School-adopted discipline rules*
*35291.7 School-adopted discipline rules: additional employees*
*44807.5 Restriction from recess for disciplinary purposes*
*48630-48644.5 Opportunity schools*
*48900-48925 Suspension and expulsion*
*48908 Duties of pupils*
*48980-48985 Notification of parents or guardians*
*49000-49001 Prohibition of corporal punishment*
*49330-49334 Injurious objects*
*CODE OF REGULATIONS, TITLE 5 353 Detention after school*

Date Adopted: July 17, 1980
Date Revised: February 7, 1985, February 4, 1991, April 16, 1997

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5045**

## DISCIPLINE – PRESCHOOL STUDENTS

The administration, teachers, and classified staff share the mutual responsibility for preschool student conduct and safety. The Board shall give reasonable support and assistance to staff with respect to student discipline. The Board shall encourage parents to participate in their child's learning by becoming involved in the preschool.

All preschool rules shall be strictly based on district policy, state regulations, and existing law. All preschool rules shall be reported to the Board for review every three years. The Board may request that preschool rules be placed on the action agenda for approval, revision, or dismissal.

Notice to Parents/Guardians and Students

The principal of the school where a preschool is located shall ensure that every student and his/her guardian are notified in writing at the beginning of the school year of rules related to discipline. Students entering school during the school year shall be advised of existing policies and rules at the time of enrollment.

Positive Direction

The following guidelines will be followed by preschool staff:

Staff members will

1. Respect the needs of the child.

2. Direct the child towards constructive action.

3. Communicate to the child using a caring tone of voice.

4. Avoid competition and comparison.

5. Encourage a child to be independent in resolving his or her own conflicts.

6. Set clear and reasonable guidelines for each child.

7. Maintain an overall awareness of all activities in the classroom in order to prevent dangerous or inappropriate behavior.

    a. If a child chooses a dangerous activity, staff members will attempt to find the cause of such behavior and to assist the child in correcting the behavior.

**DISCIPLINE – PRESCHOOL STUDENTS (continued)**

b. If a child hits or hurts other people or becomes destructive of school property, the staff will sit the child away from the group for a period of time. This will be done to help him or her to refocus in a positive manner.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student by staff or parents on school grounds. This is a state law. The use of reasonable and necessary restraint by an employee to protect himself/herself or other students or to prevent the damage of district property shall not be considered corporal punishment for purposes of this policy.

*Legal Reference:*
*EDUCATION CODE*
*35291 Rules*
*35291.5 School-adopted discipline rules*
*35291.7 School-adopted discipline rules: additional employees*
*48980-48985 Notification of Parents or Guardians*
*49000-49001 Prohibition of corporal punishment*

Date Adopted: October 12, 1994

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5111.1**

## DISTRICT RESIDENCY

The Governing Board desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.
(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (EC 48980)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)
(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)
(cf. 5111 - Admission)
(cf. 5125 - Student Records)

When establishing students' residency for enrollment purposes, the Superintendent or designee shall not inquire into the citizenship or immigration status of students or their family members.
(cf. 5145.13 - Response to Immigration Enforcement)

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

Investigation of Residency

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (EC 48204.1, 48204.2)

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

**STUDENTS** **BP 5111.1**

**DISTRICT RESIDENCY (continued)**

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

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

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

Appeal of Enrollment Denial

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

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

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

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

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

Enrollment Not Requiring District Residency

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

**STUDENTS** **BP 5111.1**

## DISTRICT RESIDENCY (continued)

(cf. 5111.2 - Nonresident Foreign Students)
(cf. 6145.6 - International Exchange)

The district may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (EC 52317)
(cf. 6178.2 - Regional Occupational Center/Program)

Legal Reference:
EDUCATION CODE
220 Prohibition of discrimination
234.7 Student protections relating to immigration and citizenship status
35160.5 Intradistrict open enrollment
35351 Assignment of students to particular schools
46600-46611 Interdistrict attendance permits
48050-48054 Nonresidents
48200-48208 Compulsory education law, especially:
48204 Residency requirements
48204.1-48204.4 Evidence of residency
48300-48317 Student attendance alternatives, school district of choice program
48350-48361 Open Enrollment Act transfers
48645.5 Former juvenile court school students, enrollment
48852.7 Education of homeless students; immediate enrollment
48853.5 Education of foster youth; immediate enrollment
48980 Notifications at beginning of term
52317 Regional occupational program, admission of persons including nonresidents
FAMILY CODE
6550-6552 Caregivers
GOVERNMENT CODE
6205-6210 Confidentiality of residence for victims of domestic violence
CODE OF REGULATIONS, TITLE 5
432 Retention of student records
UNITED STATES CODE, TITLE 8
1229c Immigration and Nationality Act
UNITED STATES CODE, TITLE 42
11431-11435 McKinney-Vento Homeless Assistance Act
COURT DECISIONS
Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47
Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources:
CSBA PUBLICATIONS
Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017
Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014
CALIFORNIA ATTORNEY GENERAL'S OFFICE PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018
U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS
Dear Colleague Letter: School Enrollment Procedures, May 8, 2014
Fact Sheet: Information on the Rights of All Children to Enroll in School, May 8, 2014
Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, May 8, 2014
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Office of the Attorney General: http://oag.ca.gov
California Secretary of State, Safe at Home Program: http://www.sos.ca.gov/safeathome
U.S. Department of Education, Office for Civil Rights: http://www2.ed.gov/ocr
U.S. Department of Justice: http://www.justice.gov

(12/15 3/17) 5/18

Date Adopted: April 6, 2022

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5111.1**

## DISTRICT RESIDENCY

Criteria for Residency

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

1. The student's parent/guardian resides within district boundaries. (EC 48200)

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

3. The student is admitted through an interdistrict attendance option. (EC 46600, 48204, 48301, 48356)
   (cf. 5117 - Interdistrict Attendance)
   (cf. 5118 - Open Enrollment Act Transfers)

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

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

6. The student resides in a state hospital located within district boundaries. (EC 48204)

7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (EC 48204, 48207)
   (cf. 6183 - Home and Hospital Instruction)

8. The student's parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state. (EC 48204.3)
   (cf. 6173.2 - Education of Children of Military Families)

9. The student's parent/guardian was a resident of California who departed the state against his/her will due to a transfer by a government agency that had custody of the parent/guardian, a lawful order from a court or government agency authorizing his/her removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student lived in California immediately before moving out of state as a result of his/her parent/guardian's departure. (EC 48204.4)
   (cf. 5145.13 - Response to Immigration Enforcement)

**DISTRICT RESIDENCY (continued)**

Proof of Residency

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

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

1. Property tax payment receipt
2. Rental property contract, lease, or payment receipt
3. Utility service contract, statement, or payment receipt
4. Pay stub
5. Correspondence from a government agency
6. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency executed by the student
7. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552
   (cf. 5141 - Health Care and Emergencies)

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

A student whose parent/guardian's departure from the state occurred against his/her will pursuant to item #9 in the section "Criteria for Residency" above shall be in compliance with district residency requirements if he/she provides official documentation of the parent/guardian's departure and evidence demonstrating that the student was enrolled in a public school in California immediately before moving outside the state. (EC 48204.4)

**STUDENTS** **AR 5111.1**

**DISTRICT RESIDENCY (continued)**

Any homeless or foster youth or student who has had contact with the juvenile justice system shall be immediately enrolled in school even if he/she is unable to provide proof of residency. (EC 48645.5, 48852.7, 48853.5; 42 USC 11432)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.3 - Education for Juvenile Court School Students)

Safe at Home/Confidential Address Program

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (GC 6206, 6207)
(cf. 3580 - District Records)

(12/15 12/16) 5/18

Date Adopted: April 6, 2022

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5112.2**

## EXCLUSIONS FROM ATTENDANCE

The Superintendent or designee shall ensure that each child entering a district school at any grade level adheres to district admission requirements and enrollment procedures.
(cf. 5111 - Admission)
(cf. 5111.1 - District Residency)
(cf. 5116 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)
(cf. 5125 - Student Records)
(cf. 5141.3 - Health Examinations)

Mandatory Exclusions

The Superintendent or designee shall not unconditionally admit any student to an elementary or secondary school, preschool, or child care and development program for the first time, nor, after July 1, 2016, admit or advance any student to grade 7 unless the student has been fully immunized in accordance with Health and Safety Code 120335 and BP/AR 5141.31 - Immunizations or is exempted by law.

If a conditionally admitted student has not received required immunizations within 10 days after his/her parent/guardian has been notified of the need to do so, the student shall be excluded until he/she provides written evidence that he/she has received the vaccines due at that time. (EC 48216; Health and Safety Code 120335, 120370; 17 CCR 6055)
(cf. 5141.31 - Immunizations)
(cf. 5141.22 - Infectious Diseases)

The Superintendent or designee shall not admit a student who is reasonably suspected of having active tuberculosis. He/she shall be denied admission until the local health officer or licensed medical practitioner informs the district, in writing, that the student is no longer at risk of developing or transmitting the disease. (HSC 121485, 121495, 121505)
(cf. 5141.26 - Tuberculosis Testing)

The Superintendent or designee shall exclude a student who is infected with any contagious or infectious disease. The student shall be permitted to return to school when a medical provider informs the Superintendent or designee in writing that he/she is satisfied that the contagious or infectious disease no longer exists. (EC 49451; 5 CCR 202)

The Superintendent or designee shall exclude a student who resides where any contagious, infectious, or communicable disease subject to quarantine exists or has recently existed and who is subject to strict isolation or quarantine of contacts, unless written permission of the health officer is provided. (HSC 120230)

## EXCLUSIONS FROM ATTENDANCE (continued)

Permissive Exclusions

A student may be excluded from attendance at a district school under either of the following circumstances:

1. If there is good cause to believe that the student has been exposed to any disease stated in Health and Safety Code 120335 and his/her documentation of immunization does not show proof of immunization against that disease, the student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease. (HSC 120335, 120370)

2. If the student has not had the health screening specified in Health and Safety Code 124040 before or within the first 90 days of attending first grade, he/she may be excluded for up to five days unless the parent/guardian has presented a waiver or the district has exempted the student from this requirement in accordance with law. (HSC 124105)

(cf. 5141.32 - Health Screening for School Entry)

Notifications to Parents/Guardians

The Superintendent or designee may exclude a student without prior notice to the parent/guardian if the student is excluded for any of the following reasons: (EC 48213)

1. He/she resides in an area subject to quarantine pursuant to Health and Safety Code 120230.

2. He/she is exempt from a medical examination but suffers from a contagious or infectious disease pursuant to EC 49451.

3. The Superintendent or designee determines that the presence of the student would constitute a clear and present danger to the safety or health of other students or school personnel.

However, in such cases, the Superintendent or designee shall send a notice as soon as reasonably possible after the exclusion. (EC 48213)

(cf. 5145.6 - Parental Notifications)

In all other cases, the Superintendent or designee shall send a notice to the student's parent/guardian stating the facts leading to the exclusion, prior to excluding the student from attendance.

**EXCLUSIONS FROM ATTENDANCE (continued)**

Appeals from Exclusion

Upon exclusion of his/her child, a parent/guardian may meet with the Superintendent or designee to discuss the exclusion. If the parent/guardian disagrees with the decision of the Superintendent or designee to exclude his/her child, he/she may appeal the decision to the Governing Board.

The parent/guardian shall have an opportunity to inspect all documents upon which the district is basing its decision, to challenge any evidence and question any witness presented by the district, to present oral and documentary evidence on the student's behalf, and to have one or more representatives present at the meeting.

Legal Reference:

*Education Code*
*48210-48216 Persons excluded*
*49076 Access to records by persons without written consent or under judicial order*
*49408 Information of use in emergencies*
*49451 Parent's refusal to consent*
*HEALTH AND SAFETY CODE*
*120230 Exclusion of persons from school*
*120325-120380 Educational and child care facility immunization requirements*
*121475-121520 Tuberculosis tests for students*
*124025-124110 Child Health and Disability Prevention Program*
*CODE OF REGULATIONS, TITLE 5*
*202 Exclusion of students with a contagious disease*
*CODE OF REGULATIONS, TITLE 17*
*6055 Exclusion for failure to obtain required immunizations*

*Management Resources:*
*CSBA PUBLICATIONS*
*Recent Legislation on Vaccines: SB 277, Fact Sheet, August 2015*
*WEB SITES*
*CSBA: http://www.csba.org*
*California Department of Public Health, Immunization Branch: http://www.cdph.ca.gov/programs/immunize*
*California Healthy Kids Resource Center: http://www.californiahealthykids.org*
*Centers for Disease Control and Prevention: http://www.cdc.gov*

(10/95 11/04) 10/15

Date Adopted: March 2, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5113**

## ABSENCES AND EXCUSES

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws and may use appropriate legal means to correct problems of chronic absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)
(cf. 5112.2 - Exclusions from Attendance)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6154 - Homework/Makeup Work)

Absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and administrative regulation. (EC 48205)

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulation. (EC 46014)

Inasmuch as school attendance and class participation are integral to students' learning experiences, parents/guardians and students shall be encouraged to schedule medical and other appointments during non-school hours.

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, as authorized pursuant to Education Code 46010.1, for a confidential medical appointment.

The Board shall, by resolution entered into its minutes, approve reasonable methods that may be used to verify student absences due to illness or quarantine. (5 CCR 421)

*Legal Reference:*
*EDUCATION CODE*
*1740 Employment of personnel to supervise attendance (county superintendent)*
*37201 School month*
*37223 Weekend classes*
*41601 Reports of average daily attendance*
*42238-42250.1 Apportionments*
*46000 Records (attendance)*
*46010-46014 Absences*
*46100-46119 Attendance in kindergarten and elementary schools*
*46140-46147 Attendance in junior high and high schools*
*48200-48208 Children ages 6-18 (compulsory full-time attendance)*
*48210-48216 Exclusions from attendance*
*48240-48246 Supervisors of attendance*
*48260-48273 Truants*
*48292 Filing complaint against parent*
*48320-48324 School attendance review boards*
*48340-48341 Improvement of student attendance*
*48980 Parental notifications*
*49067 Unexcused absences as cause of failing grade*
*49701 Provisions of the interstate compact on educational opportunities for military children*
*ELECTIONS CODE*
*12302 Student participation on precinct boards*
*FAMILY CODE*
*6920-6929 Consent by minor for medical treatment*
*VEHICLE CODE*
*13202.7 Driving privileges; minors; suspension or delay for habitual truancy*
*WELFARE AND INSTITUTIONS CODE*
*601-601.4 Habitually truant minors*
*11253.5 Compulsory school attendance*
*CODE OF REGULATIONS, TITLE 5*
*306 Explanation of absence*
*420-421 Record of verification of absence due to illness and other causes*
*ATTORNEY GENERAL OPINIONS*
*87 Ops.Cal.Atty.Gen. 168 (2004)*
*66 Ops.Cal.Atty.Gen. 244 (1983)*
*COURT DECISIONS*
*American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307*
*Management Resources:*
*CSBA PUBLICATIONS*
*Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010*
*WEB SITES*
*CSBA: http://www.csba.org*

(11/99 11/11) 3/17

Date Adopted: October 1, 1987
Date Revised: June 21, 1990, November 3, 1999, September 1, 2004, March 1, 2017, August 2, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5113**

## ABSENCES AND EXCUSES

Excused Absences

A student's absence shall be excused for any of the following reasons:

1. Personal illness (EC 48205)

2. Quarantine under the direction of a county or city health officer (EC 48205)
(cf. 5112.2 - Exclusions from Attendance)

3. Medical, dental, optometrical, or chiropractic appointment (EC 48205)

4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state (EC 48205)

Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (EC45194, 48205)

5. Jury duty in the manner provided by law (EC 48205)

6. The illness or medical appointment of a child to whom the student is the custodial parent (EC48205)
(cf. 5146 - Married/Pregnant/Parenting Students)

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (EC 48205)

    a. Appearance in court

    b. Attendance at a funeral service

    c. Observation of a holiday or ceremony of his/her religion

    d. Attendance at religious retreats for no more than four hours per semester

    e. Attendance at an employment conference

    f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process

**ABSENCES AND EXCUSES (continued)**

8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (EC 48205)

(cf. 6142.3 - Civic Education)

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

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

10. To attend his/her naturalization ceremony to become a United States citizen. (EC 48205)

11. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy, subject to the following conditions: (EC 46014)

    a. The student's parent/guardian shall provide written consent for the absence.

    b. The student shall attend at least the minimum school day.

    c. The student shall be excused from school for this purpose on no more than four days per school month.

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

Method of Verification

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (EC46012; 5 CCR 306)

The following methods may be used to verify student absences:

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

2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:

    a. Name of student

    b. Name of parent/guardian or parent representative

**ABSENCES AND EXCUSES (continued)**

c. Name of verifying employee

d. Date(s) of absence

e. Reason for absence

3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.

4. Physician's verification.

a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may request a note from the medical office to confirm the time of the appointment.

b. If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.

Parental Notifications

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

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

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

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

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5145.6 - Parental Notifications)
(cf. 6154 - Homework/Makeup Work)

(11/07 11/11) 3/17

Date Adopted: October 1, 1987
Date Revised: November 3, 1999, September 1, 2004, March 1, 2017, August 2, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5113.1**

## CHRONIC ABSENCE AND TRUANCY

The Governing Board believes that excessive absenteeism, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.
(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall establish a system to accurately track student attendance in order to identify individual students who are chronic absentees and truants, as defined in law and administrative regulation, and to identify patterns of absence throughout the district. He/she shall provide the Board with data on school attendance, chronic absence, and truancy rates for all district students, for each school, and for each numerically significant student subgroup as defined in Education Code 52052. Such data shall be disaggregated and used in the development of annual goals and specific actions for student attendance and engagement and for inclusion in the district's local control and accountability plan and other applicable school and district plans.
(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall develop strategies that focus on prevention of attendance problems, which may include, but are not limited to, efforts to provide a safe and positive school environment, relevant and engaging learning experiences, school activities that help develop students' feelings of connectedness with the school, school-based health services, and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance. The Superintendent or designee also shall develop strategies that enable early outreach to students as soon as they show signs of poor attendance.
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5126 - Awards for Achievement)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5141.6 - School Health Services)
(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall work with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy. He/she also may collaborate with child welfare services, law enforcement, courts, public health care agencies, other government agencies, and/or medical, mental health, and oral health care providers to ensure that alternative educational programs and nutrition, health care, and other support services

are available for students and families and to intervene as necessary when students have serious attendance problems.
(cf. 1020 - Youth Services)
(cf. 5030 - Student Wellness)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5147 - Dropout Prevention)
(cf. 6158 - Independent Study)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6175 - Migrant Education Program)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

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

A student's truancy, tardiness, or other absence from school shall not be the basis for his/her out-of-school suspension or expulsion. Alternative disciplinary strategies and positive reinforcement for attendance shall be used whenever possible.
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

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

School Attendance Review Board

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

The Board may submit a nomination to the County Superintendent of Schools for a person who will serve on the county SARB as a representative of school districts. (EC 48321)

## CHRONIC ABSENCE AND TRUANCY (continued)

The Superintendent/Designee shall appoint members of the district's SARB, who may include, but are not limited to, a parent/guardian as well as representatives of the district; county probation department; county welfare department; county office of education; law enforcement agencies; community-based youth service centers; school guidance personnel; child welfare and attendance personnel; school or county health care personnel; school, county, or community mental health personnel; the county district attorney's office; and the county public defender's office. (EC 48321)

The district's SARB shall operate in accordance with Education Code 48320-48325 and procedures established by the Superintendent or designee.

Legal Reference:
*EDUCATION CODE*
*1740 Employment of personnel to supervise attendance (county superintendent)*
*37223 Weekend classes*
*41601 Reports of average daily attendance*
*46000 Records (attendance)*
*46010-46014 Absences*
*46110-46119 Attendance in kindergarten and elementary schools*
*46140-46147 Attendance in junior high and high schools*
*48200-48208 Children ages 6-18 (compulsory full-time attendance)*
*48225.5 Work permits, entertainment and allied industries*
*48240-48246 Supervisors of attendance*
*48260-48273 Truants*
*48290-482967 Failure to comply; complaints against parents*
*48320-48325 School attendance review boards*
*48340-48341 Improvement of student attendance*
*48400-48403 Compulsory continuation education*
*48900 Suspension and expulsion*
*49067 Unexcused absences as cause of failing grade*
*52052 Academic Performance Index; numerically significant student subgroups*
*60901 Chronic absence*
*GOVERNMENT CODE*
*54950-54963 The Ralph M. Brown Act*
*PENAL CODE*
*270.1 Chronic truancy; parent/guardian misdemeanor*
*272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy*
*830.1 Peace officers*
*VEHICLE CODE*
*13202.7 Driving privileges; minors; suspension or delay for habitual truancy*
*WELFARE AND INSTITUTIONS CODE*
*256-258 Juvenile hearing officer*
*601-601.4 Habitually truant minors*
*11253.5 Compulsory school attendance*
*CODE OF REGULATIONS, TITLE 5*
*306 Explanation of absence*
*420-421 Record of verification of absence due to illness and other causes*
*15497.5 Local control and accountability plan template*
*COURT DECISIONS*
*L.A. v. Superior Court of San Diego County, (2012) 209 Cal.App.4th 976*

*Management Resources:*
*CSBA PUBLICATIONS*
*Attendance Awareness Month, Fact Sheet, September 2014*
*ATTENDANCE WORKS PUBLICATIONS*
*Count Us In! Working Together to Show that Every School Day Matters, 2014*
*The Power of Positive Connections: Reducing Chronic Absence Through PEOPLE: Priority Early Outreach for Positive Linkages and Engagement, 2014*
*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*
*School Attendance Review Board Handbook, 2015*
*School Attendance Improvement Handbook, 2000*
*WEB SITES*
*CSBA: http://www.csba.org*
*Attendance Works: http://www.attendanceworks.org*
*California Association of Supervisors of Child Welfare and Attendance: http://www.cascwa.org*
*California Department of Education: http://www.cde.ca.gov*
*California Healthy Kids Survey: http://chks.wested.org*
*California School Climate, Health, and Learning Survey System: http://www.cal-schls.wested.org*
*OnTrackCA: http://www.ontrackca.org*

(11/10 11/12) 4/15

Date Adopted: March 1, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5113.1**

## CHRONIC ABSENCE AND TRUANCY

Definitions

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular schools of the district, exclusive of Saturdays and Sundays. (EC 60901)

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (EC 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian. (EC 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260-48263 and 48291. (EC 48263.6)

For purposes of classifying a student as a truant, valid excuse includes, but is not limited to, the reasons for which a student shall be excused from school pursuant to Education Code 48205 and 48225.5. A valid excuse also may include other reasons that are within the discretion of school administrators and, based on the facts of the student's circumstances, are deemed to constitute a valid excuse. (EC 48260)
(cf. 5113 - Absences and Excuses)
(cf. 5113.2 - Work Permits)

Attendance Supervisor(s)

The Superintendent or designee shall appoint or contract with a supervisor of attendance and assistant supervisors as necessary to supervise the attendance of district students. Such supervisors shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, work permits, and any additional duties prescribed by the Superintendent. (EC 48240, 48243, 48244)

## CHRONIC ABSENCE AND TRUANCY (continued)

### Addressing Chronic Absence

When a student is identified as a chronic absentee, the attendance supervisor shall communicate with the student and his/her parents/guardians to determine the reason(s) for the excessive absences, ensure the student and parents/guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.
(cf. 6020 - Parent Involvement)

The student may be referred to a student success team or school-site attendance review team to assist in evaluating his/her needs and identifying strategies and programs to assist him/her.
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5147 - Dropout Prevention)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6175 - Migrant Education Program)

A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or alternative educational options as appropriate.
(cf. 6158 - Independent Study)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6178.1 - Work-Based Learning)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)

Whenever chronic absenteeism is linked to a health issue or nonschool condition, the attendance supervisor may recommend school or community resources and/or collaborate with community agencies and organizations to address the needs of the student and his/her family.
(cf. 1020 - Youth Services)
(cf. 5141.6 - School Health Services)

### Addressing Truancy

An attendance supervisor or designee, peace officer, probation officer, or school administrator or designee may, as applicable, arrest or assume temporary custody during school hours of any minor student found away from his/her home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (EC 48264, 48265, 48266)
(cf. 3515.3 - District Police/Security Department)

**CHRONIC ABSENCE AND TRUANCY (continued)**

The attendance supervisor shall investigate a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341. (EC 48290)

When a student has been identified as a truant as defined above, the following steps shall be implemented based on the number of truancies he/she has committed:

1. Initial truancy

   a. The student shall be reported to the attendance supervisor. (EC 48260)

   b. The student's parent/guardian shall be notified by the most cost-effective method possible, which may include email or a telephone call, that: (EC 48260.5)

      (1) The student is truant.

      (2) The parent/guardian is obligated to compel the student to attend school. If the parent/guardian fails to meet this obligation, he/she may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.

      (3) Alternative educational programs are available in the district.

      (4) The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.

      (5) The student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator or attendance supervisor or his/her designee under Education Code 48264 if found away from home and absent from school without a valid excuse.

      (6) The student may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.

      (7) It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.

(cf. 5145.6 - Parental Notifications)

   c. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (EC 48264.5)

**CHRONIC ABSENCE AND TRUANCY (continued)**

d. The student and, as appropriate, his/her parent/guardian may be requested to attend a meeting with a school counselor or other school designee to discuss the root causes of the attendance issue and develop a joint plan to improve the student's attendance. (EC 48264.5)

e. The attendance supervisor may notify the district attorney and/or probation officer of the student's name and the name and address of his/her parents/guardians. (EC 48260.6)

2. Second truancy

a. Any student who has once been reported as a truant shall again be reported to the attendance supervisor as a truant if he/she is absent from school without a valid excuse one or more days or is tardy on one or more days during the school year. (EC 48261)

b. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (EC 48264.5)

c. The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to item #3 below. (EC 48264.5)

d. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and his/her parent/guardian by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. (EC 48262)

e. The student may be given a written warning by a peace officer. A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (EC 48264.5)

f. The attendance supervisor may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified in accordance with item #1b above. (EC 48260.6)

**CHRONIC ABSENCE AND TRUANCY (continued)**

3. Third truancy (habitual truancy)

   a. A student who is habitually truant, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a school attendance review board (SARB) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's attendance supervisor. (EC 48263, 48264.5)

   b. Upon making a referral to the SARB or the probation department, the attendance supervisor shall provide the student and parent/guardian, in writing, the name and address of the SARB or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with the SARB or a probation officer to consider a proper disposition of the referral. (EC 48263)

   c. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #4 below. (EC 48264.5)

4. Fourth truancy

   a. Upon his/her fourth truancy within the same school year, the student may be referred to the jurisdiction of the juvenile court. (EC 48264.5; Welfare and Institutions Code 601)

   b. If a student has been adjudged by the county juvenile court to be a habitual truant, the attendance supervisor shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (EC 48267)

5. Absence for 10 percent of school days (chronic truancy)

   a. The attendance supervisor shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.

   b. If a chronically truant student is at least age 6 years and is in any of grades K-8, the attendance supervisor shall notify the student's parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

**CHRONIC ABSENCE AND TRUANCY (continued)**

Records

The Superintendent or designee shall maintain accurate attendance records for students identified as habitual or chronic truants. The Superintendent or designee also shall document all contacts with a student and his/her parent/guardian regarding the student's attendance, including a summary of all conversations and a record of all intervention efforts.
(cf. 5125 - Student Records)

The Superintendent or designee shall gather and transmit to the County Superintendent of Schools the number and types of referrals made to the SARB and of requests for petitions made to the juvenile court. (EC 48273)

(3/02 11/10) 11/12

Date Adopted: March 1, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5116.2**

# INVOLUNTARY STUDENT TRANSFERS

The Governing Board desires to enroll students in the school of their choice, but recognizes that circumstances sometimes necessitate the involuntary transfer of some students to another school or program in the district. The Superintendent or designee shall develop procedures to facilitate the transition of such students into their new school of enrollment.

As applicable, when determining the best placement for a student who is subject to involuntary transfer, the Superintendent or designee shall review all educational options for which the student is eligible, the student's academic progress and needs, the enrollment capacity at district schools, and the availability of support services and other resources.

Whenever a student is involuntarily transferred, the Superintendent or designee shall provide timely written notification to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

## Other Involuntary Transfers

Students may be involuntarily transferred under either of the following circumstances:

1. If a high school student commits an act enumerated in Education Code 48900 or is habitually truant or irregular in school attendance, he/she may be transferred to a continuation school. (Education Code 48432.5)

2. If a student is expelled from school for any reason, is probation-referred pursuant to Welfare and Institutions Code 300 or 602, or is referred by a school attendance review board or another formal district process, he/she may be transferred to a community day school. (Education Code 48662)

Date Adopted: February 1, 2023

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5117**

## INTERDISTRICT ATTENDANCE

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

Student transfers into and out of the district shall be in accordance with law and as specified in this policy and accompanying administrative regulation.

### Interdistrict Attendance Agreements and Permits

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

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

Terms of acceptance are based on available space, class size, programs offered, and cannot displace a student of residence (Education Code 48304). The student's prior year record must indicate a 90% attendance rate, academic achievement of 2.0 GPA or meeting grade level standards, and no more than 2 total suspension or a total of 5 days or any offense under Education Code 48915.

When the request of a student seeking to transfer out of the district, or an individual permit verifying another district's approval for its student to transfer into the district, is received, the Superintendent or designee shall review, and may approve or deny the request or permit based on the terms and conditions of the interdistrict attendance agreement.

### Grounds for Revocation of Interdistrict Attendance Agreements

The District may revoke an existing Interdistrict Attendance Agreement at any time if the conduct of a parent, guardian, or caregiver significantly interferes with the safe and effective operation of the school or the professional responsibilities of school staff.

Grounds for revocation include, but are not limited to:

## INTERDISTRICT ATTENDANCE (continued)

1. Disrespectful or disruptive behavior: repeated or egregious displays of disrespect toward school staff, including hostile language, shouting, or unprofessional communication.

2. Harassment: ongoing or targeted harassment of school employees, including verbal, written, or digital harassment.

3. False accusations: knowingly spreading false or defamatory statements about school employees, administration, or school.

4. Failure to communicate: failure to respond to school communications in a timely manner, or repeated neglect to provide essential information required for the student's education or well-being.

5. Threats or intimidation: any form of threat, intimidation, or aggressive behavior directed at school staff.

### Procedures

A written warning may be issued prior to revocation unless the behavior poses an immediate risk to safety or a severe disruption to school operations.

The Superintendent or designee shall review all relevant documentation and provide notice to the parent/guardian of the revocation, including the reason(s) and effective date.

### Instruction Collaboration Agreements

The district may, with Board approval, enter into an instruction collaboration agreement (ICA) with another school district, county office of education, or charter school for the district to offer the same or similar courses and coursework to students from another school district, county office of education, or charter school who have been impacted by any of the following: (EC 48345)

1. Disruptions or cancellations in science, technology, engineering, and mathematics (STEM) classes

2. Disruptions or cancellations in dual language immersion programs

3. Teacher shortages in STEM classes or dual language immersion programs

## INTERDISTRICT ATTENDANCE (continued)

Prior to accepting students for classes for any of the reasons specified in Items #1-3 above, the Superintendent or designee shall, with Board approval, determine the maximum number of students that the district can accept for these purposes. The district shall accept students who apply until the district is at maximum capacity.

Students shall be transferred to this program through an unbiased process that prohibits an inquiry into, or evaluation or consideration of, whether a student should be authorized to participate in the course or coursework based upon the student's current academic or athletic performance, proficiency in English, physical condition, any of the individual characteristics specified in Education Code 200, or family income. If the number of applications exceeds the number of seats available, the approval for participation shall be determined by a random public drawing at a regularly scheduled Board meeting. (EC 48345)

The Superintendent or designee shall publicly post information, including, but not limited to, applicable forms and timelines for submission pursuant to the ICA, to ensure that students and their families are aware of the opportunities to participate. (EC 48345)

When negotiating the ICA, the Superintendent or designee shall collaborate with the other participating local educational agencies to agree upon an appropriate shared cost structure. (Education Code 48345)

### Transportation

Upon parent/guardian request, district shall provide transportation assistance to a student receiving an interdistrict transfer to its schools who is eligible for free and reduced-price meals and is the child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code 46600. (Education Code 46600)

Date Adopted: September 21, 1978
Date Revised: November 4, 1998, June 23, 1999, March 5, 2003, February 4, 2004; October 5, 2005, November 7, 2007, November 4, 2009, June 10, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5117**

## INTERDISTRICT ATTENDANCE

### Interdistrict Attendance Agreements and Permits

In accordance with an agreement between the district and another district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

The district shall post on its website the procedures and timelines for requesting an interdistrict transfer permit, including a link to Board Policy 5117 – Interdistrict Attendance. The posted information shall include, but is not limited to: (EC 46600.1-46600.2)

1. The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year

2. The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as supporting evidence

3. If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders a final decision

4. A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request

5. Applicable timelines for processing a request, including the following statements:

    a. For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received
    b. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought

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

## INTERDISTRICT ATTENDANCE (continued)

Priority for interdistrict attendance shall be given to a student who has been determined, through an investigation by either the district of residence or district of proposed enrollment, to be a victim of an act of bullying, as defined in Education Code 48900(r), committed by a student of the district of residence. (EC 46600)

Until the district is at maximum capacity, the district shall accept any student whose interdistrict transfer application is based on being the victim of an act of bullying or a child of an active duty military parent/guardian. The district shall ensure that such students are transferred through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status. (EC 46600)

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

1. To meet the child care needs of a student, only as long as the student's child care provider remains within district boundaries
2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel
3. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.
4. To allow a student to complete a school year when the student's parents/guardians have moved out of the district during that year.
5. To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school.
6. To allow a high school senior to attend the same school attending as a junior, even if the student's family moved out of the district during the junior year.
7. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the school year in the district.
8. When the student will be living out of the district for one year or less.
9. When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.
10. When there is a valid interest in a particular educational program not offered in the district of residence.
11. To provide a change in school environment for reasons of personal and social adjustment.

## INTERDISTRICT ATTENDANCE (continued)

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

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

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

Pending a decision by the two districts or by the County Board, on appeal, the Superintendent or designee may provisionally transfer a student who resides in another district for a period not to exceed two school months, provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the district school to which the student was provisionally transferred. (Education Code 46603)46601.

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

### Transfers Out of the District

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, provided the school district of proposed enrollment approves the application for transfer. (EC 46600, 48307)

If the district is unable to provide an intradistrict transfer to a student who is a victim of an act of bullying, as defined in Education Code 46600, the district shall not prohibit the student from transferring out of the district if the district of proposed enrollment approves the application for transfer. (EC 46600)

The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code 48307)

**INTERDISTRICT ATTENDANCE (continued)**

1. The County Superintendent of Schools has given the district a qualified or negative budget certification or has determined that the district will not meet the state's standard and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice.
2. The Board determines that the transfer would negatively impact any of the following: (EC 48307)
    a. A court-ordered desegregation plan
    b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31
    c. The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31

Date Adopted: September 21, 1978
Date Revised: November 4, 1998, June 23, 1999, March 5, 2003, February 4, 2004; October 5, 2005, November 7, 2007, November 4, 2009, June 10, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5123**

## PROMOTION / ACCELERATION / RETENTION

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

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

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

As early as possible in the school year and in students' school careers, the Superintendent or designee shall identify students who should be retained and who are at risk of being retained in accordance with law, board policy, administrative regulation and the following criteria:

Students shall be identified as "at risk" on the bases of local and state assessments, and teacher questionnaires.

When a student is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall provide opportunities for appropriate intervention to assist the student in overcoming his/her academic deficiencies. Such opportunities may include, but are not limited to, tutorial programs, after-school programs, and summer school programs determined by a Student Study Team.

*Legal Reference:*
*EDUCATION CODE*
*37252-37253.5 Supplemental instruction*
*46300 Method of computing ADA*
*48011 Admission on completing kindergarten; grade placement of pupils coming from other districts*
*48070-48070.5 Promotion and retention*
*48431.6 Required systematic review of students and grading*
*56345 Elements of individualized education plan*
*60641-60648 Standardized Testing and Reporting Program*
*60850-60856 Exit examination*
*CODE OF REGULATIONS, TITLE 5*
*200-202 Admission and exclusion of students*

*Management Resources:*
*CDE MANAGEMENT ADVISORIES*
*0900.90 Changes in Law Concerning Eligibility for Admission to Kindergarten 90-10*
*LEGISLATIVE COUNSEL'S OPINION*
*Promotion and Retention #21610*
*CSBA POLICY ADVISORIES*
*0901.99 Social Promotion/Retention Policy Briefing: Considerations for English Language Learners*
*1112.98 Student Promotion/Retention Advisory*
*WEB SITES*
*CSBA: http://www.csba.org*
*CDE: http://www.cde.ca.gov*

Date Adopted: June 23, 1999
Date Revised: April 6, 2005

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5123**

## PROMOTION / ACCELERATION / RETENTION

Acceleration from Kindergarten to First Grade

A student enrolled in kindergarten may be admitted to the first grade at the discretion of the Superintendent or designee and with the consent of the parent/guardian, upon determination that the child is ready for first-grade work. (Education code 48011)

Admission shall be subject to the following minimum criteria: (5 CCR 200)

1. The student is at least five year of age.

2. The student has attended a public school kindergarten for a long enough time to enable school personnel to evaluate his/her ability.

3. The student is in the upper five percent of his/her age group in terms of general mental ability.

4. The physical development and social maturity of the student are consistent with his/her advanced mental ability.

5. The parent/guardian of the student has filed a written statement with the school district approving the placement in first grade.

Continuation in Kindergarten

Students who have completed one year of kindergarten shall be admitted to first grade unless the parent/guardian and the district agree that the student shall continue in kindergarten for not more than one additional school year. (Education Code 48011)

Whenever a student continues in kindergarten for an additional year, the Superintendent or designee shall secure an agreement, signed by the parent/guardian, stating that the student shall continue in kindergarten for not more than one additional school year. (Education Code 46300)

Continuation in First Grade

Students who have completed one year of first grade shall be admitted to second grade unless the parent/guardian and the district agree that the student shall continue in first grade for not more than one additional school year.

**PROMOTION / ACCELERATION / RETENTION (continued)**

Whenever a student continues in first grade for an additional year, the Superintendent or designee shall secure an agreement, signed by the parent/guardian, stating that the student shall continue in first grade for not more than one additional school year.

Retention at Other Grade Levels

The Superintendent or designee shall identify students who should be retained or who are at risk of being retained at the following grade levels: (Education Code 48070.5)

1. Between grades 2 and 3
2. Between grades 3 and 4
3. Between grades 4 and 5
4. Between grades 5 and 6
5. Between grades 7 and 8

Proficiency in reading, English language arts and mathematics shall be the basis for identifying students between grades 2 through 8. (Education Code 48070.5)

Students shall be identified on the basis of assessment results and teacher questionnaire as established by Board policy.

If a student is identified as performing below the minimum standard for promotion, the student shall be retained in his/her current grade level unless the student's regular classroom teacher determines, in writing, that retention is not the appropriate intervention for the student's academic deficiencies. This determination shall specify the reasons that retention is not appropriate for the student and shall include recommendations for interventions other than retention that, in the opinion of the teacher, are necessary to assist the student in attaining acceptable levels of academic achievement. (Education Code 48070.5)

If the teacher's recommendation to promote is contingent on the student's participation in a summer school or interim session remediation program, the student's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or promote the student shall be reevaluated at that time. The teacher's evaluation shall be provided to and discussed with the student's parents/guardians and the principal before any final determination of retention or promotion. (Education Code 48070.5)

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

**STUDENTS** **AR 5123**

**PROMOTION / ACCELERATION / RETENTION (continued)**

When a student is identified as being at risk of retention, the Superintendent or designee shall so notify the student's parents/guardians as early in the school year as practicable. A Student Study Team meeting will be held with the principal, teacher, and parent to discuss an Academic Intervention Plan.

The Superintendent/designee shall also provide a copy of the district's promotion/retention policy and administrative regulation to those parents/guardians who have been notified that his/her child is at risk of retention.

The teacher's decision to promote or retain a student may be appealed consistent with board policy, administrative regulation, and law.

The burden shall be on the appealing party to show why the teacher's decision should be overruled. (Education Code 48070.5)

To appeal a teacher's decision, the parents/guardians, or student age 18 or older shall submit a written request to the Superintendent or designee specifying the reasons why the teacher's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion. The teacher shall be provided an opportunity to state orally and/or in writing the criteria on which his/her decision was based.

Within 30 days of receiving the request, the Superintendent or designee shall determine whether or not to overrule the teacher's decision. Prior to making this determination, the Superintendent or designee may meet with the appealing party and the teacher. If the Superintendent or designee determines that the appealing party has overwhelmingly proven that the teacher's decision should be overruled, he/she shall overrule the teacher's decision.

The Superintendent or designee's determination may be appealed by submitting a written appeal to the Board within 10 school days. Within 30 days of receipt of a written appeal, the Board shall meet in closed session to decide the appeal. The Board's decision may be made on the basis of documentation prepared as part of the appeal process or, at the discretion of the Board, the Board may also meet with the appealing party, the teacher, and the superintendent/designee to decide the appeal. The decision of the board shall be final.

If the decision of the Board is unfavorable to the appealing party, he/she shall have the right to submit a written statement of objections that shall become part of the student's record.

**PROMOTION / ACCELERATION / RETENTION (continued)**

Parental Request for Retention

In an exceptional case, a situation may arise where a student who meets the criteria for promotion is requested to be retained by the parent due to other than academic reasons. In such cases, a written request from the parent will be forwarded to the site administrator with all pertinent information regarding the request for retention. The site administrator will convene a student study team to review the appropriateness of retaining the student. This

team will consist of the student's teachers, support staff and administrators. The team will take into consideration the parent request and the educational welfare of the child. The team will study the long-term effects of the request on the child and will consider current education research on retention before making a decision. A finding by the committee will be provided to the parent. The parent will have the same right of appeal to the Superintendent or designee and the Governing Board as provided by this administrative regulation.

Remedial Instruction

With the parent/guardian's consent, the Superintendent or designee may require a student who has been recommended for retention or has been identified as being as risk of retention to participate in a supplemental instructional program. Such programs may be offered during the summer, after school, on Saturdays and/or during interim sessions. Services shall not be provided during the regular instructional day if it would result in the student being removed from classroom instruction in the core curriculum. (Education Code 37252.5)

These services shall be provided to students in the following priority order: (Education Code 37252.5)

1. Students who have been recommended for retention or who have been identified as being at risk of retention pursuant to Education Code 48070.5.

2. Students who have been identified as having a deficiency in mathematics, reading or written expression based on the results of local and/or state assessments.

This supplemental instruction program shall be developed in accordance with the requirements of Education Code 37252.5.

Date Adopted: June 23, 1999
Date Revised: September 6, 2000; April 6, 2005

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5125**

## STUDENT RECORDS

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, disclosure, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records in accordance with state and federal law.

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

If student records containing covered information which is not subject to the California Consumer Privacy Act are under the control of the operator of a website, online service or application, or mobile application, and the student's parent/guardian or the student, if 18 years of age or older, requests deletion of such records, the Superintendent or designee shall provide documentation to the operator that the student has not been enrolled in the district for at least 60 days. (Business and Professions Code 22584)

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information, including which information should not be solicited.

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

The immigration or citizenship status of a student or a student's family member may only be collected and disclosed in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

The district or any district employee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, or disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. This prohibition does not apply to information that is aggregated and is not personally identifiable. (Government Code 8310.3)

The Superintendent or designee shall develop protocols to comply with a court's restraining order

**STUDENT RECORDS (continued)**

that prohibits a party from accessing specified records and information pertaining to a student. (Family Code 6323.5)

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any district student, provided that the district first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled Board meeting, and gathers only information that directly pertains to school safety or student safety. (EC 49073.6)

Retention, Disclosure, and Security of Student Records

The Superintendent or designee shall ensure the confidentiality of student records as required by law and shall establish processes and procedures to safeguard data against damage, loss, or theft, including damage, loss, or theft which may be caused by the use of technology, including artificial intelligence and breaches to the district's digital infrastructure, in the retention or disclosure of student records.

The Superintendent or designee shall ensure that employees receive information and training about cybersecurity, including ways to protect student records from breaches to the district's digital infrastructure.

If the district experiences a cyberattack that impacts more than 500 students or personnel, the Superintendent or designee shall report the cyberattack to the California Cybersecurity Integration Center. (EC 35266)

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

Date Adopted: September 7, 2022
Date Revised: February 4, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5125**

## STUDENT RECORDS

### Definitions

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

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

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

*Contractor or consultant* is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced by the district. Contractor or consultant shall not include a volunteer or other party. (EC 49076)

*County placing agency* means the county social service department or county probation department. (EC 49061)

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

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

*District officials and employees* are officials or employees, including teachers, whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

*Legitimate educational interest* is an interest held by any district official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require access to information contained in student records.

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

**STUDENT RECORDS (continued)**

*Mandatory permanent student records* are those records which are maintained in perpetuity and which the district has been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

*Parent/guardian* means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (EC 49061, 56050, 56055)

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

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

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

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

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

Student records do not include: (EC 49061, 49062; 34 CFR 99.3)

1. Directory information
2. Informal notes compiled by a district official or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee
3. Records of the law enforcement unit of the district, as specified in 34 CFR 99.8

**STUDENT RECORDS (continued)**

4. Records created or received by the district after an individual is no longer a student and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

**Persons Granted Absolute Access**

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than 18 years of age, including the parent who is not the student's custodial parent (EC 49069.7; Family Code 3025)

   However, the district shall not disclose student records to a party, including a parent/guardian, who is legally prohibited from accessing records and information of a student pursuant to a restraining order. (Family Code 6323.5)

2. An adult student, or a student under 18 years of age, who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)

3. Parents/guardians of an adult student with exceptional needs who is 18 years of age or older and has been declared incompetent under state law (EC 56041.5)

**Access for Limited Purpose/Legitimate Educational Interest**

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

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

2. Students who are 16 years of age or older or who have completed the 10th grade (EC 49076)

3. District officials and employees, consistent with the definition provided in "Definitions," above (EC 49076; 34 CFR 99.31)

4. Members of a school attendance review board (SARB) appointed pursuant to Education Code 48321 who are authorized representatives of the district and any volunteer aide 18 years of age or older who has been investigated, selected, and trained by the SARB to

provide follow-up services to a referred student (EC 49076)

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

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

6. The Student Aid Commission, to provide the grade point average (GPA) of all district students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program

   However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (EC 69432.9, 69432.92)

   No later than January 1 each year, the Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under 18 years of age, that the student's GPA will be forwarded to the Student Aid Commission by October 1, unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days. (EC 69432.9)

   Students' social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number. (EC 69432.9)

7. The California College Guidance Initiative (CCGI) in accordance with a data sharing agreement pursuant to Education Code 60900, to provide data for use when planning for

and applying to California public colleges and universities (EC 60900, 60900.5)

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

9. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to Item #8 above (EC 49076)

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

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

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

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

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

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

14. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to

Welfare and Institutions Code 681 (EC 49076)

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

15. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (EC 49076)

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

16. A student 14 years of age or older who is an unaccompanied minor experiencing homelessness as defined in 42 USC 11434a (EC 49076)

17. An individual who completes items #1-4 of the Caregiver's Authorization Affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (EC 49076)

18. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the agency or organization to receive the records and the information requested is directly related to providing assistance to address the student's educational needs (EC 49076; 20 USC 1232g)

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

    When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in Item #13 above. (EC 49076)

**STUDENT RECORDS (continued)**

20. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written consent by a parent/guardian, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (EC 49076.5)

    In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another district in California or any other state or to a California private school. (EC 49076.5)

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

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act (FERPA). (EC 49076; 20 USC 1232g; 34 CFR 99.1-99.8)

Additionally, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (EC 49061, 49075)

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

**Discretionary Access**

At the discretion of the Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in connection with an emergency if the knowledge of the information is necessary to protect the health or safety of the student or other persons (EC 49076; 34 CFR 99.31, 99.32, 99.36)

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

**STUDENT RECORDS (continued)**

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

2. Accrediting associations in order to carry out their accrediting functions (EC 49076; 34 CFR 99.31)
3. Organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (EC 49076; 34 CFR 99.31)
    a. The study is conducted in a manner that does not permit personal identification of students or parents/guardians by individuals other than representatives of the organization who have legitimate interests in the information
    b. The information is destroyed when no longer needed for the purposes for which the study is conducted
    c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31
4. Officials and employees of other districts, private schools, or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (EC 49076; 34 CFR 99.31, 99.34)
5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)
6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract with the district, excluding volunteers or other parties (EC 49076)
7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or the student's parents/guardians for these purposes is disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid (EC 49076; 34 CFR 99.31)
8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the limits set by 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used

**STUDENT RECORDS (continued)**

for any other purpose or transferred to any other person or agency (EC 49076; 34 CFR 99.37)

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

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or FERPA. (EC 49076; 20 USC 1232g; 34 CFR 99.1-99.8)

### Persons Generally Denied Access

A request for student records by an officer or employee of an agency conducting immigration enforcement shall be denied except in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

### De-identification of Records

When authorized by law for any program audit, educational research, or other purpose, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (EC 49074, 49076; 20 USC 1232g; 34 CFR 99.31)

### Process for Providing Access to Records

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians and adult students shall be notified of the location of student records if not centrally located. (EC 49069.7; 5 CCR 433)

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

The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that district officials and employees obtain access to only those student records in which they have legitimate educational interests. (EC 49076; 5 CCR 431; 34

**STUDENT RECORDS (continued)**

CFR 99.31)

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

Within five business days following the date of request, the authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (EC 49069.7; 5 CCR 431)

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

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

Qualified certificated personnel shall be available to interpret records when requested. (EC 49069.7)

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

**Access Log**

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

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

Additionally, the custodian of records shall make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

**STUDENT RECORDS (continued)**

The log need not include requests for access to records by: (EC 49064)

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

The log shall be open to inspection only by the parent/guardian, adult student, dependent adult student, custodian of records, and certain state or federal officials specified in Education Code 49064. (EC 49064; 5 CCR 432)

### Duplication of Student Records

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

### Changes to Student Records

Only a parent/guardian having legal custody of a student or a student who is 18 years of age or is attending an institution of postsecondary education may challenge the content of a record or offer a written response to a record. (EC 49061)

No addition or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student. (EC 49070; 5 CCR 437)

Any request to change a student's legal name in the student's mandatory permanent student record shall be accompanied with appropriate documentation.

Any challenge to the content of a student's record shall be filed in accordance with Education Code 49070 and the process specified in Administrative Regulation 5125.3 - Challenging Student Records.

**STUDENT RECORDS (continued)**

**Retention and Destruction of Student Records**

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

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

1. Legal name of student
2. Date and place of birth and method of verifying birth date
3. Sex of student
4. Name and address of parent/guardian of minor student
    a. Address of minor student if different from the above
    b. Annual verification of parent/guardian's name and address and student's residence
5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation
7. Verification of or exemption from required immunizations
8. Date of high school graduation or equivalent

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

1. Expulsion orders and the causes therefor
2. A log identifying persons or organizations who request or receive information from the student record

**STUDENT RECORDS (continued)**

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

4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge

5. Language training records

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

7. Parent/guardian restrictions/stipulations regarding access to directory information

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

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

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

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

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

1. Objective counselor and/or teacher ratings

2. Standardized test results older than three years

3. Routine discipline data

4. Verified reports of relevant behavioral patterns

5. All disciplinary notices

6. Supplementary attendance records

## STUDENT RECORDS (continued)

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

### Transfer of Student Records

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

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

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (EC 48918, 49068; 5 CCR 438)

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

Additionally, when a student in foster care is enrolling in a district school, the district's liaison for foster youth shall contact, within two business days of the student's request for enrollment, the school last attended by the student to obtain all academic and other records. (EC 48853.5)

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

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

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

## STUDENT RECORDS (continued)

### Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with exceptional needs. (EC 48985, 49063; 5 CCR 431; 34 CFR 99.7)

The notice shall include: (EC 49063, 60900.5; 34 CFR 99.7, 99.34)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining district officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law

**STUDENT RECORDS (continued)**

11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school

12. 12.The sharing with CCGI of specified district data and data collected by the California Department of Education for the purposes of college admissions, academic placement, and eligibility for student financial aid (EC 60900)

13. Any other rights and requirements set forth in Education Code 49060-49085, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g

14. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

Additionally, the annual parent/guardian notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will only be released in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

**Student Records from Social Media**

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (EC 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety

2. Provide a student with access to any information that the district obtained from the student's social media activity and an opportunity to correct or delete such information

3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in the district, whichever occurs first

4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in Item #3 above

Additionally, the notification shall include, but is not limited to, an explanation of the process by which a student or the student's parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parent/guardian notification required pursuant to Education Code 48980.

5. If the district contracts with a third party to gather information on a student from social media, ensure that the contract:

    a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than the district, the student, or the student's parent/guardian
    b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when the district notifies the third party that the student has turned 18 years of age or is no longer enrolled in the district, whichever occurs first

**Updating Name and/or Gender of Former Students**

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the former student's records to include the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. (EC 49062.5)

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (EC 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender

**STUDENT RECORDS (continued)**

5. The name of the employee who completed the request

6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name and/or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and Administrative Regulation 5125.3 - Challenging Student Records. (EC 49062.5)

Date Adopted: September 7, 2022
Date Revised: February 4, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5125.1**

## RELEASE OF DIRECTORY INFORMATION

The Governing Board recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information, including to news media or nonprofit organizations, in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based on a determination of the best interests of district students. (EC 49073)

A student's directory information shall only be included in the minutes of the Board's meeting in accordance with Board Bylaw 9324 - Minutes and Recordings.

Colleges and prospective employers, including military recruiters, shall have access to a student's name, address, email address, and telephone number, unless the student's parent/guardian, or the student, if the student is 18 years of age or older, has requested that such information not be released. (10 USC 503, 20 USC 7908)

Under no circumstances shall directory information be disclosed to a private profit-making entity, except for representatives of the news media and employers, including prospective employers, in accordance with law, Board policy, and administrative regulation. Private schools and colleges may be given the names and addresses of 12th-grade students and students who are no longer enrolled, provided that they use this information only for purposes directly related to the institution's academic or professional goals. (EC 49073)

Date Adopted: January 7, 2004
Date Revised: September 3, 2025, February 4, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5125.1**

## RELEASE OF DIRECTORY INFORMATION

### Definition

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

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

Directory information does not include a student's social security number or student identification number. However, for purposes of accessing or communicating in electronic systems, directory information may include a student identification number, user identification, or other personal identifier used by the student provided that the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user. (34 CFR 99.3)

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

### Notification to Parents/Guardians

## RELEASE OF DIRECTORY INFORMATION (continued)

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

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

The Superintendent or designee shall notify parents/guardians that they may request that the district not release the name, address, email address, and telephone number of their child to military recruiters, employers, or institutions of higher education without prior written consent. (10 USC 503, 20 USC 7908)

### Parent/Guardian Consent

A student's directory information shall not be released if the student's parent/guardian has notified the district in writing that such information shall not be disclosed. (EC 49073; 20 USC 1232g, 7908)

The directory information of a student identified as a student experiencing homelessness shall not be released, unless the student's parent/guardian, or the student if 18 years of age or older, has provided written consent that directory information may be released. However, the directory information of a student experiencing homelessness may be disclosed for the purpose of facilitating an eye examination by a nonprofit eye examination provider or a free oral health assessment hosted by a district school, unless the student's parent/guardian, or student accorded parental rights, has provided written notice to the school that consent to such exam(s) is not given. (EC 49073; 20 USC 1232g, 7908; 42 USC 11434a)

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

Date Adopted: January 7, 2004
Date Revised: September 3, 2025, February 4, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5125.3**

## CHALLENGING STUDENT RECORDS

At the beginning of each school year or, for a student enrolled after the beginning of the school year, at the time of enrollment, parents/guardians shall be notified of the availability of the following procedures for challenging the contents of student records. Any student who is 18 years of age or attends a postsecondary institution shall have the sole right to challenge the contents of his/her records in accordance with the following procedures. (EC 49061, 49063)
(cf. 5125 - Student Records)
(cf. 5145.6 - Parental Notifications)

Procedures for Challenging Records

The custodial parent/guardian of any student may submit to the Superintendent or designee a written request to correct or remove from his/her child's records any information concerning the child which he/she alleges to be any of the following: (EC 49070; 34 CFR 99.20)

1. Inaccurate

2. An unsubstantiated personal conclusion or inference

3. A conclusion or inference outside of the observer's area of competence

4. Not based on the personal observation of a named person with the time and place of the observation noted

5. Misleading

6. In violation of the privacy or other rights of the student

Within 30 days of receiving a request to correct or remove any information from a record, the Superintendent or designee shall meet with the parent/guardian and the district employee who recorded that information, if he/she is presently employed by the district. (EC 49070)

If the challenge involves a student's grade, the teacher who gave the grade shall be given an opportunity to state, orally and/or in writing, the reasons for which the grade was given. Insofar as practicable, the teacher shall be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, a student's grade as determined by the teacher shall be final. (EC 49066)
(cf. 5121 - Grades/Evaluation of Student Achievement)

**STUDENTS** **AR 5125.3**

## CHALLENGING STUDENT RECORDS (continued)

Resolution of Challenge/Appeals

After considering all relevant information, the Superintendent or designee shall sustain or deny the parent/guardian's allegations. (EC 49070)

If the parent/guardian's allegations are sustained, the Superintendent or designee shall order the correction or removal and destruction of the information. (EC 49070)

If the Superintendent or designee denies the allegations, the parent/guardian may, within 30 days, appeal the decision in writing to the Governing Board. Within 30 days of receiving the written appeal, the Board shall meet in closed session with the parent/guardian and the district employee who recorded the information, if he/she is presently employed by the district. The Board shall then decide whether to sustain or deny the allegations. The decision of the Board shall be final. (EC 49070)
(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

If the Board sustains any or all of the allegations, the Superintendent or designee shall immediately order the correction or removal and destruction of the pertinent information from the student's records and shall inform the parent/guardian in writing that the information has been corrected or destroyed. (EC 49070)

If the parent/guardian does not file an appeal, or if the appeal is denied by the Board, the parent/guardian shall be informed of his/her right to submit a written objection to the information. Any statement submitted by the parent/guardian shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the related part of the record is disclosed. (EC 49070; 34 CFR 99.21)

Legal Reference:
EDUCATION CODE
49061 Definitions
49063 Notification of parents of their rights
49066 Grades; change of grade; physical education grade
49070 Challenging content of records
49071 Hearing panel
UNITED STATES CODE, TITLE 20
1232g Family Educational and Privacy Rights Act
1681-1688 Title IX of the Education Amendments of 1972
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy, especially:
99.20-99.22 Procedures for amending educational records

(2/95 2/96) 10/16

Date Adopted: March 6, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131**

## CONDUCT

The Governing Board believes that all students have the right to be educated in a safe and positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program

3. Conduct that disrupts the orderly classroom or school environment

4. Willful defiance of staff's authority

5. Damage to or theft of property belonging to students, staff, or the district

6. Obscene acts or use of profane, vulgar, or abusive language

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substances

8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)

9. Use of a smartphone or other mobile communication device in an unauthorized manner

10. Plagiarism or dishonesty on school work or tests

11. Wearing of any attire that violates district or school dress codes, including gang-related apparel

**CONDUCT (continued)**

12. Tardiness or unexcused absence from school

13. Failure to remain on school premises in accordance with school rules

14. Other conduct prohibited by Education Code 48900-48915-48915

Employees are expected to enforce standards of conduct and when they observe or receive a report of a violation of these standards, to appropriately intervene, or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

When a school employee suspects that a search of a student or a student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with Board Policy and Administrative Regulation 5145.12 - Search and Seizure.

When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Date Adopted: May 28, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131.1**

# BUS CONDUCT

In order to help ensure the safety and well-being of students, bus drivers, and others, the Governing Board expects students to exhibit appropriate and orderly conduct at all times when using school transportation, including while preparing to ride, riding, or leaving the bus.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3540 - Transportation)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 5131 - Conduct)

The Superintendent or designee shall establish regulations related to student conduct on buses, bus driver authority, and the suspension of riding privileges. He/she shall make these rules available to parents/guardians, students, and other interested parties. (5 CCR 14103)

(cf. 3452 - School Bus Drivers)

Students found to be in violation of the district's bus conduct rules shall be subject to discipline in accordance with Board policy and administrative regulation.

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

The Superintendent or designee may deny a student the privilege of using school transportation upon the student's continued disorderly conduct or his/her persistent refusal to submit to the authority of the driver. (5 CCR 14103)

Bus Surveillance Systems

The Board believes that the use of surveillance systems on school buses will help to deter misconduct and improve discipline, ensure the safety of students and bus drivers, and prevent vandalism. Therefore, surveillance systems may be installed and used on school buses to monitor student behavior while traveling to and from school and school activities.

(cf. 3515 - Campus Security)

The Superintendent or designee shall notify students, parents/guardians, and staff that surveillance may occur on any school bus and that the contents of a recording may be a student record and, as such, may be used in student disciplinary proceedings or referred to local law enforcement, as appropriate. In addition, a prominent notice shall be placed in each bus stating that the bus is equipped with a surveillance monitoring system.

(cf. 5125 - Student Records)

**STUDENTS** **BP 5131.1**

## BUS CONDUCT (continued)

*Legal Reference:*
*EDUCATION CODE*
*35160 Authority of governing boards*
*39800 Transportation*
*39839 Transportation of guide dogs, signal dogs, service dogs*
*44808 Duty to supervise conduct of students*
*48900 Grounds for suspension and expulsion*
*48918 Expulsion procedures*
*49060-49079 Student records*
*49073-49079 Privacy of student records*
*GOVERNMENT CODE*
*6253-6270 California Public Records Act*
*CODE OF REGULATIONS, TITLE 5*
*14103 Authority of the driver*
*CODE OF REGULATIONS, TITLE 13*
*1200-1228 General provisions, school bus regulations*
*UNITED STATES CODE, TITLE 20*
*1232g Family Educational Rights and Privacy Act*
*CODE OF FEDERAL REGULATIONS, TITLE 34*
*99.1-99.67 Family Educational Rights and Privacy*

*Management Resources:*
*NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS*
*The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999*
*WEB SITES*
*CSBA: http://www.csba.org*
*California Department of Education, Office of School Transportation: http://www.cde.ca.gov/ls/tn*
*U.S. Department of Education, Family Policy Compliance Office: http://www.ed.gov/policy/gen/guid/fpco*

(9/88 6/94) 7/08

Date Adopted: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5131.1**

## BUS CONDUCT

Bus Rider Rules

The following rules apply at all times when students are riding a school bus, including when on school activity trips:

1. Riders shall follow the instructions and directions of the bus driver at all times.

(cf. 3542 - School Bus Drivers)

2. Riders should arrive at their designated bus stop on time and stand in a safe place at the stop to wait quietly for the bus.

(cf. 3541 - Transportation Routes and Services)

3. Riders shall enter the bus in an orderly manner and go directly to their seats.

4. Riders shall sit down and fasten any passenger restraint systems. Riders shall remain seated while the bus is in motion.

5. Riders shall not block the aisle or emergency exit with their body or personal belongings. Riders may bring large or bulky items, such as class projects or musical instruments, on the bus only if the item does not displace any other rider or obstruct the driver's vision.

6. Riders should be courteous to the driver and to fellow passengers. Vulgarity, rude, or abusive behavior is prohibited.

7. Any noise or behavior that could distract the driver, such as loud talking, scuffling or fighting, throwing objects, or standing or changing seats, is prohibited and may lead to suspension of riding privileges.

(cf. 5144 - Discipline)

8. Riders shall not use tobacco products, eat, or drink while riding the bus.

(cf. 5131.62 - Tobacco)

9. Riders may bring electronic devices onto the bus only if such devices are permitted at school. If the use of cellular telephones or similar devices disrupts the safe operation of the school bus, the bus driver may direct the student to no longer use the device on the bus.

(cf. 5131 - Conduct)

**BUS CONDUCT (continued)**

10. Riders shall not put any part of the body out of the window nor throw any item from the bus.

11. Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.

12. Service animals are permitted on school transportation services; all other animals are prohibited. (Education Code 39839; 13 CCR 1216)

(cf. 6163.2 - Animals at School)

13. Upon reaching their destination, riders shall remain seated until the bus comes to a complete stop and upon the signal from the driver, unfasten any restraint system, enter the aisle, and go directly to the exit.

14. Riders should be alert for traffic when leaving the bus and shall follow the district's transportation safety plan when crossing the road and exiting the bus.

(cf. 3543 - Transportation Safety and Emergencies)

The driver or any passenger shall report any violation of the district's bus rules to the principal or designee. The principal or designee shall notify the student's parent/guardian of the misbehavior, determine the severity of the misconduct, and take action accordingly. In instances of a severe violation or repeated offenses, the rider may be denied transportation for a period of time determined appropriate by the principal or designee.

Bus drivers shall not deny transportation services except as directed by the principal or designee.

Bus Surveillance Systems

The Superintendent or designee shall monitor the use and maintenance of the district's bus surveillance system. Students are prohibited from tampering with the bus surveillance system. Any student found tampering with the system shall be subject to discipline and shall be responsible for the costs of any necessary repairs or replacement.

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism, Theft and Graffiti)

**BUS CONDUCT (continued)**

Camera supports may be installed in all buses. Cameras may be rotated among the buses and activated at the discretion of the Superintendent or designee.

The content of any recording is a student record and may only be accessed in accordance with the district's policy and administrative regulation concerning student records.

(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

(9/88 6/94) 7/08

Date Adopted: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131.2**

## BULLYING

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

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

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

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

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying request a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer whenever feasible due to space constraints or other considerations, and when in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

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

| State | Description |
|---|---|
| 5 CCR 4600-4670 | Uniform complaint procedures |
| Ed. Code 200-262.4 | Prohibition of discrimination |
| Ed. Code 32280-32289.5 | School safety plans |
| Ed. Code 32283.5 | Bullying; online training |
| Ed. Code 35181 | Governing board authority to set policy on responsibilities of students Rules |
| Ed. Code 35291-35291.5 | Student transfers |
| Ed. Code 46600 | Suspension and expulsion |
| Ed. Code 48900-48925 | Notices to parents in language other than English |
| Ed. Code 48985 | Local control and accountability plan |
| Ed. Code 52060-52077 | Definition of hate crime |
| Pen. Code 422.55 | Use of camera or other instrument to invade person's privacy; misdemeanor |
| Pen. Code 647 | Use of camera or other instrument to invade person's privacy; punishment |
| Pen. Code 647.7 | |

## BULLYING (continued)

| | |
|---|---|
| Pen. Code 653.2 | Electronic communication devices; threats to safety |
| **Federal** | **Description** |
| 28 CFR 35.107 | Nondiscrimination on basis of disability; complaints |
| 34 CFR 104.7 | Section 504; Designation of responsible employee and adoption of grievances procedures |
| 34 CFR 106.8 | Designation of coordinator; dissemination of policy, and adoption of grievance procedures |
| 34 CFR 110.25 | Notification of nondiscrimination on the basis of age |
| 47 USC 254 | Universal service discounts (E-rate) |

Date Adopted: October 1, 2014

Date Revised: October 4, 2023

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5131.2**

# BULLYING

## Examples of Prohibited Conduct

*Bullying* is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

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

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

1. Physical bullying: An act that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures

2. Verbal bullying: An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm

3. Social/relational bullying: An act that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public

4. Cyberbullying: An act such as sending demeaning or hateful text messages or emails, spreading rumors by email or by posting on social networking sites, or posting or sharing embarrassing photos, videos, web site, or fake profiles

## Measures to Prevent Bullying

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

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

2. Providing information to students, through student handbooks, district and school websites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying

**BULLYING (CONTINUED)**

3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeteria

5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

**Staff Development**

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

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

1. Discuss the diversity of the student body and school community, including their varying immigration experiences

2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims

3. Identify the signs of bullying or harassing behavior

4. Take immediate corrective action when bullying is observed

5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

**Information and Resources**

The Superintendent or designee shall post on the district's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (EC 234.6)

**BULLYING (CONTINUED)**

1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6

2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8

3. Title IX information included on the district's web site pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's web site pursuant to Education Code 221.6

4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying

5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media

6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5.

7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

**Student Instruction**

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

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

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

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

**STUDENTS** **AR 5131.2**

## BULLYING (CONTINUED)

### Reporting and Filing of Complaints

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

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

### Discipline/Corrective Actions

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

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

### Support Services

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

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

| State | Description |
|---|---|
| 5 CCR 4600-4670 | Uniform complaint procedures |
| Ed. Code 200-262.4 | Prohibition of discrimination |
| Ed. Code 32280-32289.5 | School safety plans |
| Ed. Code 32283.5 | Bullying; online training |
| Ed. Code 35181 | Governing board authority to set policy on responsibilities of students |

## BULLYING (CONTINUED)

| | |
|---|---|
| Ed. Code 35291-35291.5 | Rules |
| Ed. Code 46600 | Student transfers |
| Ed. Code 48900-48925 | Suspension and expulsion |
| Ed. Code 48985 | Notices to parents in language other than English |
| Ed. Code 52060-52077 | Local control and accountability plan |
| Pen. Code 422.55 | Definition of hate crime |
| Pen. Code 647 | Use of camera or other instrument to invade person's privacy; misdemeanor |
| Pen. Code 647.7 | Use of camera or other instrument to invade person's privacy; punishment |
| Pen. Code 653.2 | Electronic communication devices; threats to safety |
| **Federal** | **Description** |
| 28 CFR 35.107 | Nondiscrimination on basis of disability; complaints |
| 34 CFR 104.7 | Section 504; Designation of responsible employee and adoption of grievances procedures |
| 34 CFR 106.8 | Designation of coordinator; dissemination of policy, and adoption of grievance procedures |
| 34 CFR 110.25 | Notification of nondiscrimination on the basis of age |
| 47 USC 254 | Universal service discounts (E-rate) |

Date Adopted: October 4, 2023

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131.4**

## STUDENT DISTURBANCES

The Governing Board desires to provide orderly campuses that create a positive school environment and are conducive to learning, and recognizes that student disturbances interfere with such an environment and interrupt learning

In order to respond to a student disturbance and to help prevent student activity from becoming a student disturbance, the Superintendent or designee and the principal of each school may establish a student disturbance management plan for the school. At the Superintendent's or designee's discretion, the plan may be included in the school's comprehensive school safety plan in accordance with Board Policy/Administrative Regulation 0450 - Comprehensive Safety Plan, or in the district's school emergency and disaster preparedness plan in accordance with Board Policy/Administrative Regulation 3516 - Emergencies and Disaster Preparedness Plan.

In developing each school's plan, the Superintendent or designee and principal may consult with students, staff, parents/guardians, and other interested individuals, as appropriate. Additionally, the Superintendent or designee and principal may consult with local law enforcement authorities to the extent the plan includes guidelines for law enforcement support and intervention.

The plan may include, but need not be limited to, the following:

1. The types of student disturbances that the plan addresses, including prohibited activities listed in the accompanying administrative regulation

   Additionally, this may include student activities that constitute or may lead to student disturbances such as protests, sit-ins/stand-ins, and walk-outs.

2. Measures designed to prevent student disturbances

   This may include identifying student supports and training to help staff recognize, report, and respond to student activities that may lead to student disturbances.

3. The school's responses to student disturbances

4. Staff involvement in student disturbances

Students who participate in a disturbance may be subject to discipline in accordance with Board Policy/Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process.

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5131.4**

## STUDENT DISTURBANCES

A student involved or attempting to be involved in any of the following prohibited activities may be subject to discipline:

1. Disturbing the peace, including, but not limited to, causing or attempting to cause a riot, burning or destroying property, fighting, challenging another to fight, or using offensive words likely to provoke a fight

2. Disrupting district operations, including, but not limited to, making statements that are obscene, libelous, or slanderous or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or substantially disrupting the orderly operation of the school (EC 48907)

   Other examples of activities that may disrupt district operations include, but are not limited to:

   a. Organizing or participating in unauthorized assemblies on district premises

   b. Participating in sit-ins or stand-ins which deny students or employees normal access to district premises

   c. Refusing to disperse, including, but not limited to, assembling for the purpose of causing a disruption and refusing to disperse upon the direction of district personnel

   d. Participating in any protest that involves nonattendance where attendance is required at school, class, or at a school activity and the protest significantly disrupts instruction or other school activities

Any student who is absent from class or school due to participation in Items #2a-d above shall be given an unexcused absence, regardless of any parent/guardian approval of the absence.

However, upon providing advanced notice and in accordance with Board Policy/Administrative Regulation 5113 - Absences and Excuses, a student in middle or high school shall be permitted one excused absence per school year in order to participate in a civic or political event such as voting, poll working, strikes, public commenting, or attending candidate speeches, political or civic forums, or town halls. (EC 48205)

3. Interfering with or unauthorized use of district technology

When a disturbance is ongoing, and the principal or designee believes that additional students might become involved in the disturbance if not in class, such as during passing periods, the principal or designee may notify all staff that any class currently in session will be extended until further notice. Upon receiving this notification, staff shall ensure that all students in their charge remain in one location under their supervision and shall ask all students who are in the halls to return to their classes immediately.

Additionally, the principal may request the Superintendent to dismiss school in accordance with the school disturbance management plan.

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5131.41**

# USE OF SECLUSION AND RESTRAINT

District staff shall enforce standards of appropriate student conduct in order to provide a safe and secure environment for students and staff on campus, but are prohibited from using seclusion and behavioral restraint to control student behavior except as authorized by law when the behavior poses a clear and present danger of serious physical harm to the student, other students, or others on campus, and that cannot be immediately prevented by a less restrictive response.

## Definitions

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

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

*Physical restraint* means a personal restriction that immobilizes or reduces the ability of a student to move the torso, arms, legs, or head freely. Physical restraint does not include a physical escort in which a staff member temporarily touches or holds the student's hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location. Physical restraint also does not include the use of force by peace officers or security personnel for detention or for public safety purposes. (EC 49005.1)

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

## Prohibitions

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

Additionally, staff shall not take any of the following actions: (EC 49005.2, 49005.8)

**USE OF SECLUSION AND RESTRAINT (continued)**

1. Administer a drug that is not a standard treatment for a student's medical or psychiatric condition in order to control the student's behavior or restrict the student's freedom of movement

2. Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use as a locked room

3. Use a physical restraint technique that obstructs a student's respiratory airway or impairs a student's breathing or respiratory capacity, including a technique in which a staff member places pressure on the student's back or places the staff member's body weight against the student's torso or back

4. Use a behavioral restraint technique that restricts breathing, including, but not limited to, the use of a pillow, blanket, carpet, mat, or other item to cover a student's face

5. Use prone restraint, defined as the application of a behavioral restraint on a student in a facedown position for any period of time and includes prone containment (EC 49005.1)

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

**Limited Use of Seclusion or Restraint**

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

When used, seclusion or restraint shall not be applied for longer than is necessary to contain the dangerous behavior. For any situation that requires a prolonged use of an emergency intervention, staff shall seek the assistance of the principal or law enforcement agency, as applicable to the situation. (EC 56521.1)

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

If a student is restrained, staff shall afford the student the least restrictive alternative and the maximum freedom of movement, and shall use the least number of restraint points, while ensuring

**USE OF SECLUSION AND RESTRAINT (continued)**

the physical safety of the student and others. (EC 49005.8)

Seclusion or restraint may only be applied to a student with disabilities in accordance with rules specified in Administrative Regulation 6159.4 - Behavioral Interventions for Special Education Students. Staff may not apply seclusion or restraint to students with disabilities based on assumptions or stereotypes about disabilities or students with disabilities or for behavior that would not result in restraint or seclusion for students without disabilities.

The Superintendent or designee shall provide training to staff in the safe and effective use of seclusion and restraint, as appropriate.

**Documentation of Seclusion and Restraint**

Parents/guardians and, if appropriate, residential care providers shall be notified within one school day whenever an emergency intervention is used or serious property damage occurs. (EC 56521.1)

A behavior emergency report shall be completed and forwarded to the Superintendent or designee for review. This report shall include: (EC 56521.1)

1. The name and age of the student
2. The setting and location of the incident
3. The name of the staff or other persons involved
4. A description of the incident and the emergency intervention used
5. A statement of whether the student is currently engaged in a systematic behavior intervention plan
6. Details of any injuries sustained by the student or others, including staff, as a result of the incident

**Reports**

The Superintendent or designee shall annually collect data on the number of times that seclusion, mechanical restraint, and physical restraint were used on students and the number of students subjected to such techniques. The data shall be disaggregated by race/ethnicity and gender, and reported for students with a Section 504 plan, students with an individualized education program, and all other students. This report shall be posted on the district's website and submitted to the California Department of Education no later than three months after the end of each school year,

**USE OF SECLUSION AND RESTRAINT (continued)**

and shall be available as a public record pursuant to Government Code 7920.000-7930.215. (EC 49006)

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131.5**

# VANDALISM AND GRAFFITI

The Governing Board desires to enhance student learning by striving to provide an environment where students and staff can feel safe and secure and can take pride in their school. To that end, the Superintendent or designee shall develop strategies for preventing graffiti and vandalism on school grounds, including collaborating with local law enforcement and city and county officials, as appropriate, to help develop a coordinated response to graffiti and vandalism in the community.
(cf. 0450 - Comprehensive Safety Plan)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police/Security Department)
(cf. 5131.7 - Positive School Climate)
(cf. 5136 - Gangs)
(cf. 5138 - Conflict Resolution/Peer Mediation)

Students and staff are encouraged to report any graffiti or vandalism to the principal or designee for investigation. The principal or designee shall determine whether the incident necessitates an investigation pursuant to the district's sexual harassment, hate-motivated behavior, or nondiscrimination grievance procedure.
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

As appropriate, the principal or designee may contact local law enforcement in instances when the graffiti is repetitive, identifies particular targets or groups, identifies the perpetrator, and/or contains incitements to violence, threats, or intimidation. Photographs or other evidence of the vandalism or graffiti shall be preserved as necessary for investigation by the district or law enforcement and as evidence in any district disciplinary proceedings.

The principal or designee shall ensure that graffiti on school grounds is removed and covered as soon as possible, and if practicable before the beginning of the school day.

A student who commits an act of vandalism or graffiti on school grounds shall be subject to disciplinary action, including, but not limited to, suspension or expulsion in accordance with Board policy and administrative regulation. If reparation for damages is not made, the district also may withhold the student's grades, diploma, and/or transcripts in accordance with law.
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131.5**

## VANDALISM AND GRAFFITI

Legal Reference:
EDUCATION CODE
48900 Grounds for suspension or expulsion
48904 Willful misconduct, limit of liability of parent or guardian
48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury
CIVIL CODE
51.7 Right to be free from violence
52.1 Discrimination liability
1714.1 Liability of parent or guardian for act of willful misconduct by a minor
GOVERNMENT CODE
53069.5 Reward for information
PENAL CODE
594 Vandalism
594.1 Aerosol containers of paint
594.2 Intent to commit vandalism or graffiti
594.6 Vandalism or graffiti, community service
640.5 Graffiti; facilities or vehicles of governmental entity
640.6 Graffiti
CODE OF REGULATIONS, TITLE 5
305 Student responsible for care of property

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov

(6/87 12/91) 7/09

Date Adopted: August 4, 2010

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131.6**

## ALCOHOL AND OTHER DRUGS

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent or designee may collaborate with the county office of education, community-based organizations, health providers, law enforcement agencies, local child welfare agencies, postsecondary institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

Prevention and intervention programs and activities may include, but are not limited to: (20 USC 7118)

1. Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes

2. Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral

3. School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals

4. Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse

### Instruction and Notification

The district shall provide science-based preventative instruction, consistent with law, the accompanying administrative regulation, and Board Policy 5141.52 - Suicide Prevention, which has been proven effective in helping students avoid the use of alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is prohibited. Instruction shall not include any message on responsible use of drugs or alcohol when such use is illegal. (Health and Safety Code 11999.2)

**ALCOHOL AND OTHER DRUGS (continued)**

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

The district shall annually inform parents/guardians at the beginning of the first semester or quarter of the regular school year about the dangers associated with the use of synthetic drugs that are not prescribed by a physician, such as fentanyl, the possibility that dangerous drugs can be found in counterfeit pills, and the risks of social media being used as a way to market and sell synthetic drugs. Additionally, the district, and each school that maintains its own website, shall post such information on its website. (Education Code 48985.5)

### Intervention, Referral, and Student Assistance Programs

The Superintendent or designee shall inform school staff, students, and parents/guardians about early warning signs, which may indicate alcohol and other drug use, and about appropriate agencies offering intervention programs, counseling, referral, and other student assistance programs.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with the student's parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use, including that, in accordance with Education Code 48900, students who voluntarily disclose their use of a tobacco product, controlled substance, alcohol, or an intoxicant of any kind in order to seek help through services or supports shall not be suspended.

### Opioid Antagonists

Students in middle school, junior high school, high school, or adult school, may carry fentanyl test strips or a federally approved opioid antagonist for the emergency treatment of persons suffering, or reasonably believed to be suffering, from an opioid overdose, while on a school site or participating in a school activity. (Education Code 49414.6)

Additionally, students 12 years of age or older, while on a school site or participating in school activities, may carry and administer a naloxone hydrochloride nasal spray or any other opioid overdose reversal medication that is federally approved for over-the counter nonprescription use for the purpose of providing emergency treatment to persons who are suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.35)

**STUDENTS** **BP 5131.6**

**ALCOHOL AND OTHER DRUGS (continued)**

**Enforcement and Discipline**

Unless otherwise authorized by law, students shall not possess, use, or sell alcohol or other drugs and related paraphernalia on school grounds or at school-sponsored activities.

The Superintendent or designee shall clearly communicate to all students, staff, and parents/guardians the district's policies, regulations, and school rules related to the use of alcohol and other drugs.

Any student found by the Board to be selling a controlled substance listed in Health and Safety Code 11053- 11058 shall be recommended for expulsion in accordance with Board Policy/Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be referred to appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.

The district may use alternatives to the referral of a student to a law enforcement agency in response to an incident involving the student's misuse of an opioid, to the extent any alternative utilized is not in conflict with any law requiring that referral. (Education Code 49414.4)

**Program Evaluation**

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of district programs in reducing drug and alcohol use. The Superintendent or designee shall periodically report to the Board on the effectiveness of district activities in achieving identified objectives and outcomes. (20 USC 7116)

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5131.6**

## ALCOHOL AND OTHER DRUGS

The curriculum of all elementary and secondary schools shall include instruction on the effects upon the human body, as determined by science, of tobacco, alcohol, narcotics, dangerous drugs as defined in Health and Safety Code 11032, and other dangerous substances. Instruction shall be sequential in nature and suited to meet the needs of students at their respective grade level. (EC 51203, 51260)

Instruction on the nature and effects of alcohol shall include information about excessive alcohol use and the short- and long-term health risks of excessive alcohol use, including information about excessive drinking, the immediate effects of alcohol that increase the risks of harmful health conditions, and how excessive alcohol use can lead to the development of chronic diseases and other serious problems, including alcohol related deaths and mental health problems. (EC 51203)

In grades 1-6, instruction in drug education should be given in health courses required by Education Code 51210. (EC 51260)

In grades 7-12, instruction in drug education shall be conducted in health courses and in any other appropriate area of study required by Education Code 51220. (EC 51260)

Secondary school instruction shall also include a study of the effects of alcohol and other drugs upon prenatal development. (EC 51203)

Additionally, beginning with the 2026-27 school year, courses in health education required for graduation from high school shall include instruction in the dangers associated with fentanyl use in accordance with Education Code 51225.38.

Instruction shall be provided by appropriately trained instructors who have demonstrated competencies, as determined by the principal or designee, in the following areas: (EC 51260)

1. The ability to interact with students in a positive way

2. Knowledge of the properties and effects of tobacco, alcohol, narcotics, dangerous drugs, and shared drug apparatus

3. Effective teaching skills and competency in helping students to express opinions responsibly and to become aware of their values as they affect drug-use decisions

### Intervention

District staff shall intervene whenever students use alcohol or other illegal drugs while on school property or under school jurisdiction. Staff members who have a reasonable suspicion that a student may be under the influence of alcohol or drugs shall immediately notify the principal or designee.

**ALCOHOL AND OTHER DRUGS (continued)**

If the principal or designee, observes or suspects that a student may be under the influence of alcohol or drugs, the principal or designee may notify the student's parent/guardian. (EC 44049)

School staff shall not disclose confidential information provided during counseling by a student 12 years of age or older. A school counselor may report such information to the principal or parent/guardian only when
the counselor believes that disclosure is necessary to avert a clear and present danger to the health, safety or welfare of the student or other persons living in the school community. The school counselor shall not disclose such information to the parent/guardian if the counselor believes that the disclosure would result in a clear and present danger to the student's health, safety or welfare. (EC 44049, 49602)

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131.62**

## TOBACCO

The Governing Board recognizes the serious health risks presented by tobacco use and desires to ensure that, through adoption of consistent policies, district students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco use.
(cf. 5141.23 - Asthma Management)

The Superintendent or designee shall provide prevention, intervention, and cessation education, information, activities, and/or referrals to district students and shall ensure consistent enforcement of district policies prohibiting student possession and use of tobacco products.

Prohibition Against Tobacco Use

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. (EC 48900, 48901)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; EC 48901)

Tobacco products include: (Business and Professions Code 22950.5; Education Code 48901)

1. A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff

2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah

3. Any component, part, or accessory of a tobacco product, whether or not sold separately

**TOBACCO (continued)**

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus. (EC 48900)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

Prevention Instruction

The district shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12 pursuant to Education Code 51202. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

Legal Reference:
EDUCATION CODE
8900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
51202 Instruction in personal and public health and safety
60041 Instructional materials, portrayal of effects of tobacco use
BUSINESS AND PROFESSIONS CODE
22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions
HEALTH AND SAFETY CODE
104350-104495 Tobacco-use prevention education
104559 Tobacco use prohibition
119405 Unlawful to sell or furnish electronic cigarettes to minors
PENAL CODE
308 Minimum age for tobacco possession
CODE OF REGULATIONS, TITLE 17
6800 Definition, health assessment
6844-6847 Child Health and Disability Prevention program; health assessments
UNITED STATES CODE, TITLE 20
7111-7122 Student Support and Academic Enrichment Grants
CODE OF FEDERAL REGULATIONS, TITLE 21
1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors
ATTORNEY GENERAL OPINIONS
88 Ops.Cal.Atty.Gen. 8 (2005)

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
TUPE Acceptance of Funds Guidance
Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Health Framework for California Public Schools: Kindergarten Through Grade Twelve, 2003
Getting Results: Part II California Action Guide to Tobacco Use Prevention Education, 2000
WEST ED PUBLICATIONS
Guidebook for the California Healthy Kids Survey
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Tobacco-Use Prevention Education: http://www.cde.ca.gov/ls/he/at/tupe.asp
California Department of Public Health, Tobacco Control: http://www.cdph.ca.gov/programs/tobacco
California Healthy Kids Resource Center: http://www.californiahealthykids.org
California Healthy Kids Survey: http://www.wested.org/hks
Centers for Disease Control and Prevention, Smoking and Tobacco Use: http://www.cdc.gov/tobacco
U.S. Surgeon General: http://www.surgeongeneral.gov

(3/11 4/14) 7/16

Date Adopted: June 9, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131.7**

## WEAPONS AND DANGEROUS INSTRUMENTS

The Governing Board recognizes that students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons.
(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515.3 - District Police/Security Department)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5131 - Conduct)
(cf. 5138 - Conflict Resolution/Peer Mediation)

### Possession of Weapons

The Board prohibits any students from possessing weapons, imitation firearms, or dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds or buses, on the way to and from school, or at a school-related or school-sponsored activity away from school.

Under the power granted to the Board to protect the safety of students, staff, and others on district property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds.
(cf. 4158-4258-4358 – Employee Security)

Unless he/she has obtained prior written permission as specified below, a student possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board Policy, and administrative regulation.
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other prohibited weapon or dangerous instrument without permission, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (EC 48902; PC 245, 626.9, 626.10; 20 USC 7151)
(cf. 3515.2 - Disruptions)

### Advance Permission for Possession of a Weapon for Educational Purposes

The parent/guardian of a student who desires to possess a firearm, imitation firearm, or other prohibited weapon on school grounds for an educational purpose shall, at least five school days in advance of the planned possession, submit a written request to the principal which explains the planned use of the weapon and the duration. The student shall also submit a written explanation from the staff person responsible for the school-sponsored activity or class.

**WEAPONS AND DANGEROUS INSTRUMENTS (continued)**

The principal may grant permission for such possession when he/she determines that it is necessary for a school-sponsored activity or class or as part of the educational program. Factors that shall be considered include, but are not limited to, the planned use of the weapon, the duration and location of the planned use, whether an audience is expected, and any perceived adverse effects to the safety and well-being of students or staff. If the principal grants such permission, he/she shall provide the student and staff person with a written explanation regarding any limitations and the permissible duration of the student's possession.

When the principal or designee grants permission, he/she shall take all necessary precautions to ensure the safety of all persons on school grounds, including, but not limited to, inspecting a firearm to verify that no live ammunition is present. Any weapon allowed
shall be stored in a locked vehicle or in an appropriate, locked container before and after its authorized use.

A student granted permission to possess a weapon may be suspended and/or expelled if he/she possesses or uses the weapon inappropriately.

Possession of Pepper Spray

To prevent potential misuse that may harm students or staff, students are prohibited from carrying tear gas or tear gas weapons such as pepper spray on campus or at school activities.

Reporting of Dangerous Objects

The Board encourages students to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.
(cf. 5125 - Student Records)

The Superintendent or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The Superintendent or designee also shall inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

## WEAPONS AND DANGEROUS INSTRUMENTS (continued)

*Legal Reference:*
*EDUCATION CODE*
*35291 Governing board to prescribe rules for discipline of the schools*
*48900 Grounds for suspension/expulsion*
*48902 Notification of law enforcement authorities*
*48915 Required recommendation for expulsions*
*48916 Readmission*
*49330-49335 Injurious objects*
*PENAL CODE*
*245 Assault with deadly weapon*
*417.4 Imitation firearm; drawing or exhibiting*
*626.9 Gun-Free School Zone Act of 1995*
*626.10 Dirks, daggers, knives, razor or stun gun; bringing or possessing in school*
*653k Switchblade knife*
*16100-17350 Definitions*
*22810-23025 Tear gas weapon (pepper spray)*
*25200-25225 Firearms, access to children*
*30310 Prohibition against ammunition on school grounds*
*UNITED STATES CODE, TITLE 20*
*6301-7941 No Child Left Behind Act, especially:*
*7151 Gun-Free Schools Act*

*Management Resources:*
*CSBA PUBLICATIONS*
*Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011*
*CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS*
*0401.01 Protecting Student Identification in Reporting Injurious Objects*
*U.S. DEPARTMENT OF EDUCATION PUBLICATIONS*
*Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004*
*WEB SITES*
*CSBA: http://www.csba.org*
*California Department of Education, Safe Schools: http://www.cde.ca.gov/ls/ss*
*National Alliance for Safe Schools: http://www.safeschools.org*
*National School Safety Center: http://www.schoolsafety.us*
*U.S. Department of Education, Office of Safe and Drug Free Schools: http://www.ed.gov/about/offices/list/osdfs*

(3/08 3/10) 11/11

Date Adopted: June 3, 1998
Date Revised: October 6, 2004, September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5131.7**

## WEAPONS AND DANGEROUS INSTRUMENTS

Prohibited weapons and dangerous instruments include, but are not limited to: (EC 48915, 49330; PC 626.10, 16100-17350, 30310)

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion

2. Ammunition or reloaded ammunition

3. Knives, razor blades, and box cutters: any dirks, daggers, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 2-1/2 inches, folding knives with a blade that locks into place, and razors with an unguarded blade

4. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices

5. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure, or spring action, or any spot marker gun

6. Any other dangerous device, instrument, or weapon, including those defined in Penal Code 12020, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon

7. Any imitation firearm, defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district. (EC 49331, 49332)
(cf. 5145.12 - Search and Seizure)

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall take one of the following actions:

**WEAPONS AND DANGEROUS INSTRUMENTS (continued)**

1. Confiscate the object and deliver it to the principal immediately

2. Immediately notify the principal, who shall take appropriate action

3. Immediately notify the local law enforcement agency and the principal

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515.3 - District/Police Security Department)
(cf. 4158/4258/4358 - Employee Security)

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

The principal shall report any possession of a weapon or dangerous instrument to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (EC 49331, 49332)

(7/01 3/10) 11/11

Date Adopted: September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5131.8**

## MOBILE COMMUNICATION DEVICES

The Governing Board recognizes that student use of smartphones and other mobile communication devices on campus may have beneficial as well as harmful and disruptive effects on student learning and well-being, and on the instructional program. When on campus or when under the supervision of district employees, students may use smartphones and other mobile communication devices only as permitted under this policy.

Students shall not use smartphones or other mobile communication devices while at a school site or under the supervision and control of a district employee.

However, a student shall not be prohibited from possessing or using a mobile communication device under any of the following circumstances: (EC 48901.5, 48901.7)

1. When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator

2. When a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being

3. When the possession or use is required by the student's individualized education program

Additionally, a student shall not be prohibited from possessing or using a smartphone or other communication device in the case of an emergency or in response to a perceived threat of danger. (EC 48901.7)

The Superintendent or designee may undertake measures or strategies in accordance with law, to limit student access to smartphones and other mobile communication devices on campus. (EC 48901.7)

Smartphones and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person.

A student's personal electronic device shall not be searched without the consent of the student's parent/guardian, except pursuant to a lawfully issued warrant, when a school official, in good faith, believes that an emergency involving danger of death or serious physical injury to the student or others requires access to the electronic device information, or when the search is otherwise permitted pursuant to Penal Code 1546.1.

When a student uses a mobile communication device in an unauthorized manner while at a school site or under the supervision and control of a district employee, the student may be subject to discipline. Additionally, the district employee may temporarily confiscate the device, in which case

**MOBILE COMMUNICATION DEVICES (continued)**

the employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

In addition, a student may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for off-campus use of a mobile communication device which poses a threat or danger to the safety of students, staff, or district property or substantially disrupts school activities.

The district is not responsible or liable for a student's mobile communication device which is brought on campus or to a school activity and is lost, stolen, or damaged.

The Board shall review and, as necessary, update this policy at least once every five years. Any such review or update shall include significant stakeholder participation to ensure that the policy is responsive to the unique needs and desires of students, parents/guardians, and educators. (EC 48901.7)

Date Adopted: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5132**

## DRESS AND GROOMING

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or causes a substantial disruption to the educational program.

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

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

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (EC 212.1).

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

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

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

Repeated violations or refusal to comply with the district's dress code may results in disciplinary action.

### Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that

**DRESS AND GROOMING (continued)**

disrupts or threatens to disrupt the school's activities. Such a proposed dress code shall be presented to the Board, which shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment. The dress code policy may be included in the school's comprehensive safety plan. (EC 35183)

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

**Uniforms**

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

The Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide. (EC 35183)

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

**Dress Code**

The Governing Board believes that appropriate dress and grooming contribute to a safe, respectful, and productive learning environment. Students are expected to give proper attention to personal cleanliness and to wear clothing that is appropriate for school activities. Student dress shall not present a health or safety hazard, interfere with participation in school programs, or materially disrupt the educational environment.

Students may be required to wear specialized attire or protective equipment for certain classes or school activities, including Physical Education, science laboratories, or other activities where safety requires such equipment.

All students shall abide by the following dress code:

**DRESS AND GROOMING (continued)**

- Clothing must fully cover private areas of the body and undergarments. Clothing shall fully cover the chest, back, sides, and midriff while standing, sitting, or participating in typical school activities. Strapless garments are not permitted.
- Shorts, skirts, and dresses shall be at least mid-thigh in length.
- Clothing with excessive holes or tears is not permitted.
- Pajamas may be worn only on designated spirit days or for school activities approved by the principal or designee.
- Safe footwear must be worn at all times and be appropriate for participation in school activities, including Physical Education. Footwear must be secured to the foot with a closed heel or heel strap. Footwear that presents a safety hazard are not permitted.
- Hats, hoods, and other head coverings may be worn outdoors for sun protection or warmth. Hats displaying weapons, drugs, alcohol, or are gang-related, vulgar, obscene, or a threat to campus safety are prohibited. Headwear must keep the student's face visible to staff and not obstruct the line of sight for other students. Head coverings shall not be worn indoors, except for verified religious, cultural, or medical purposes.
- Jewelry or accessories that present a health or safety hazard are not permitted.
- Clothing, jewelry, backpacks, or personal items may not display words, symbols, or images that:
    - Are obscene, profane, vulgar, or sexually explicit;
    - Promote or advertise alcohol, tobacco, vaping products, or illegal drugs;
    - Promote violence or illegal activity;
    - Are discriminatory, harassing, intimidating, or hateful toward any individual or group;
    - Are gang-related or advocate gang affiliation; or
    - Materially disrupt the educational environment.
- Face paint, hair accessories, or body adornments that create a health or safety hazard, interfere with student identification, or materially disrupt school operations may be prohibited.
- Temporary hair coloring products that transfer onto school property, clothing, or other individuals are not permitted.

School administration shall determine whether a student's attire or appearance violates this dress code based on the reasonable application of these standards and consideration of student health, safety, and the orderly operation of the school.

**DRESS AND GROOMING (continued)**

Participation in Physical Education is required. Students must wear clothing and footwear that allow them to participate safely and fully in all required physical activities.

The dress code will be enforced fairly, consistently, and respectfully. Enforcement decisions will not be based on a student's race, ethnicity, national origin, religion, gender, disability, body type, or any other protected characteristic.

Date Adopted: January 9, 1992
Date Revised: November 1, 1995, February 1, 2006, August 2, 2017, September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5141**

## HEALTH CARE AND EMERGENCIES

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

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

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

District staff shall appropriately report and document student accidents.

### Automated External Defibrillators

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

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

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

### Trauma Kits

Any district school with an occupancy of 200 or more that was constructed on or after January 1, 2023, or was constructed prior to January 1, 2023, and modified or renovated as specified in Health and Safety Code 19310, shall acquire, place, and maintain trauma kits in accordance with the accompanying administrative regulation.

School employees shall be notified annually of the location of the trauma kits and be provided with information regarding training in the use of the trauma kit. (Health and Safety Code 19310)

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5141**

## HEALTH CARE AND EMERGENCIES

### Emergency Contact Information

In order to facilitate contact in case of an emergency or accident, the principal or designee shall annually request that parents/guardians provide the following information:

1. Home address and telephone number
2. Parent/guardian's business address and telephone number
3. Parent/guardian's cell phone number and email address
4. Name, address, and telephone number of an alternative contact person to whom the student may be released and who is authorized by the parent/guardian to care for the student in cases of emergency or when the parent/guardian cannot be reached
5. Local physician to call in case of emergency

In addition, parents/guardians shall be encouraged to notify the school whenever their emergency contact information changes.

### Notification/Consent for Medical Treatment

Whenever a student requires emergency or urgent medical treatment while at school or a district-sponsored activity, the principal or designee shall contact the parent/guardian or, if the parent/guardian cannot be reached, another person identified in the district's student information system as an emergency contact, in order to obtain consent for the medical treatment.

If the student's parent/guardian or other contact person cannot be reached to provide consent, the principal or designee may seek reasonable medical treatment for the student as needed, unless the parent/guardian has previously filed with the district a written objection to any medical treatment other than first aid.

A person who has filed with the district a completed caregiver's authorization affidavit pursuant to Family Code 6550-6552 shall have the right to consent to or refuse school-related medical care on behalf of the minor student. The caregiver's authorization shall be invalid if the district receives notice that the minor student is no longer living with the caregiver or if the Superintendent or designee has actual knowledge of facts contrary to those stated on the affidavit. (Family Code 6550)

The caregiver's consent to medical care shall be superseded by any contravening decision of the parent or other person having legal custody of the student, provided that this contravening decision

**HEALTH CARE AND EMERGENCIES (continued)**

does not jeopardize the student's life, health, or safety. (Family Code 6550)

**Automated External Defibrillators**

When an automated external defibrillator (AED) is placed in a district school, the Superintendent or designee shall notify an agent of the local emergency medical services agency of the existence, location, and type of AED acquired. (Health and Safety Code 1797.196, 1797.200)

The Superintendent or designee shall ensure that any AED placed at a district school is: (Health and Safety Code 1797.196)

1. Maintained and tested according to the operation and maintenance guidelines set forth by the manufacturer
2. Tested at least biannually and after each use
3. Inspected at least every 90 days for potential issues related to operability of the device, including a blinking light or other obvious defect that may suggest tampering or that another problem has arisen with the functionality of the AED

Additionally, the Superintendent or designee shall comply with all laws and regulations governing the placement of an AED and maintain required records of the AED maintenance and testing. (Health and Safety Code 1797.196)

The Superintendent or designee shall develop a written plan which describes the procedures to be followed in the event of a medical emergency, including an emergency that may involve the use of an AED. These procedures shall include, but not be limited to, requirements for immediate notification of the 911 emergency telephone number in the event of an emergency that may involve the use of an AED.

The principal of any district school with an AED shall annually provide information to school employees that describes: (Health and Safety Code 1797.196)

1. Sudden cardiac arrest
2. The school's emergency response plan
3. The proper use of an AED

Instructions on how to use the AED, in no less than 14-point type, shall be posted next to every AED. Additionally, school employees shall be notified annually of the location of all AED units on campus and be provided information about who they can contact if they want to voluntarily take

**HEALTH CARE AND EMERGENCIES (continued)**

AED or cardiopulmonary resuscitation training. (Health and Safety Code 1797.196)

The Superintendent or designee shall annually offer a demonstration to at least one school staff member on how to use an AED properly in an emergency. The building owner may arrange for the demonstration or partner with a nonprofit organization to do so. (Health and Safety Code 1797.196)

The principal of any district school serving students in grades 6-12 that has an AED placed in the school shall annually notify students as to the location of all AEDs on campus. (Health and Safety Code 1797.196)

**Trauma Kits**

Any district school with an occupancy of 200 or more that was constructed on or after January 1, 2023, or was constructed prior to January 1, 2023, and modified or renovated as specified, shall acquire and place at least six trauma kits on the premises of the building in an easily accessible and recognizable container. (Health and Safety Code 19310)

All trauma kits acquired and placed on the premises of a school building or structure shall be inspected every three years to ensure that all materials, supplies, and equipment contained in the trauma kit are not expired, and replace any expired or missing materials, supplies, and equipment as necessary. After a trauma kit is used, it shall be restocked and any materials, supplies, and equipment replaced as necessary to ensure that all materials, supplies, and equipment required to be contained in the trauma kit are contained in the trauma kit. (Health and Safety Code 19310)

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5141.21**

# ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

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

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

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

The Superintendent or designee shall make epinephrine delivery devices available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

The Superintendent or designee may make naloxone hydrochloride or another opioid antagonist available for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)

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

## Administration of Medication by School Personnel

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

The Superintendent or designee shall ensure that school personnel designated to administer any

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)**

medication receive appropriate training and, as necessary, retraining from qualified medical

personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

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

Date Adopted: May 27, 2015
Date Revised: December 14, 2022, June 10, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5141.21**

# ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

## Definitions

*Authorized health care provider* means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (EC 49423; 5 CCR 601)

*Other designated school personnel* means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

*Medication* may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

*Epinephrine delivery device* means a disposable delivery device designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (EC 49414)

*Anaphylaxis* means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (EC 49414)

*Opioid antagonist* means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (EC 49414.3)

## Notifications to Parents/Guardians

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (EC 49480)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication for a nonepisodic condition of the following requirements. (EC 49480)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)**

2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

When a student requires medication during the school day in order to participate in the educational program, the Superintendent or designee shall, as appropriate, inform the student's parents/guardians that the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act (20 USC 1400-1482) or Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794).

**Parent/Guardian Responsibilities**

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

1. Submitting the parent/guardian written statement and the authorized health care provider's written statement each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (EC 49414.5, 49423, 49423.1; 5 CCR 600, 626)

2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician, and updating the information when needed. (EC 49480)

3. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

**Parent/Guardian Statement**

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)**

2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication

3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration

4. Contain an acknowledgment that the parent/guardian understands the responsibilities to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment

5. Contain an acknowledgment that the parent/guardian understands the right to terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that the student be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (EC 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to the student, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation

2. That the individual is permitted to be on the school site

3. Any limitations on the individual's authority

### Health Care Provider Statement

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer prescribed medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (EC 49423, 49423.1; 5 CCR 602)

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)**

2. The name of the medication (EC 49423, 49423.1; 5 CCR 602)
3. The method, amount, and time schedules by which the medication is to be taken (EC 49423, 49423.1; 5 CCR 602)
4. If a parent/guardian has requested that the student be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (EC 49414.5, 49423, 49423.1; 5 CCR 602)
5. For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (EC 49423, 49423.1; 5 CCR 602)
6. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation
7. Possible side effects of the medication
8. Name, address, telephone number, and signature of the student's authorized health care provider

For self-administration of inhaled asthma medication, the district shall accept a written statement from a physician or surgeon contracted with a health plan licensed pursuant to Health and Safety Code 1351.2. Such written statement shall be in English and Spanish, and shall include the name and contact information for the physician or surgeon. (EC 49423.1)

**District Responsibilities**

The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medications from parents/guardians and count and record them upon receipt

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)**

3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered

4. Maintain for each student a medication log which may:

    a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information

    b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication

5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student

6. Ensure that student confidentiality is appropriately maintained

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take the medication

9. Keep all medication to be administered by the district in a locked drawer or cabinet

10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects

11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose

12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances

13. In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of

medication, contact the student's parent/guardian, and determine whether the student should return to class, rest in the school office, or receive further medical assistance

14. Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

**Emergency Epinephrine Delivery Device**

The Superintendent or designee shall provide epinephrine delivery device to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine delivery device to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (EC 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine delivery device and describing the training that the volunteer will receive. (EC 49414)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414 and shall be based on the standards developed by the Superintendent of Public Instruction (SPI). Written materials covering the required topics for training shall be retained by the school for reference. (EC 49414)

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine delivery device for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine delivery device manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine delivery device. Secondary schools shall be provided at least one adult (regular) epinephrine delivery device, unless there are any students at the school who require a junior epinephrine delivery device. (EC 49414)

If an epinephrine delivery device is used, the school nurse or other qualified supervisor of health shall restock the epinephrine delivery device as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine delivery devices shall be restocked before their expiration date. (EC 49414)

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine delivery devices shall be provided to each volunteer and retained in the employee's personnel file. (EC 49414)

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine delivery devices from a manufacturer or wholesaler. (EC 49414)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine delivery devices for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

### Emergency Medication for Opioid Overdose

The district may elect to make emergency naloxone hydrochloride or another opioid antagonist available at schools for the purpose of providing emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. In determining whether to make this medication available, the Superintendent or designee shall evaluate the emergency medical response time to the school and determine whether initiating emergency medical services is an acceptable alternative to providing an opioid antagonist and training personnel to administer the medication. (EC 49414.3)

When available at the school site, the school nurse shall provide emergency naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person exhibiting potentially life-threatening symptoms of an opioid overdose at school or a school activity. Other designated personnel who have volunteered and have received training may administer such medication when a school nurse or physician is unavailable, and shall only administer the medication by nasal spray or delivery device. (EC 49414.3)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer naloxone hydrochloride or another opioid antagonist, describing the training that the volunteer will receive, and explaining the right of the volunteer to rescind the offer to volunteer at any time, including after receiving training. The notice shall also include a statement that no benefit will be granted to or withheld from any employee based on the offer to volunteer and that there will be no retaliation against any employee for rescinding the offer to volunteer. (EC 49414.3)

The principal or designee may designate one or more volunteer employees to receive initial and annual refresher training, based on standards adopted by the SPI, regarding the storage and

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)**

emergency use of naloxone hydrochloride or another opioid antagonist. The training shall be provided at no cost to the employee, conducted during regular working hours, and be provided by a school nurse or other qualified person designated by an authorizing physician and surgeon. Written materials provided during the training shall be retained at the school for reference. (EC 49414.3)

A school nurse, other qualified supervisor of health, or, if the district does not have a qualified supervisor of health, a district administrator shall obtain a prescription for naloxone hydrochloride or another opioid antagonist for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or manufacturers. (EC 49414.3)

If the medication is used, the school nurse, other qualified supervisor of health, or district administrator, as applicable, shall restock the medication as soon as reasonably possible, but no later than two weeks after it is used. In addition, the medication shall be restocked before its expiration date. (EC 49414.3)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering naloxone hydrochloride or another opioid antagonist for emergency aid shall be provided to each volunteer and retained in the employee's personnel file. (EC 49414.3)

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414.3, including, but not limited to, the acceptance of the naloxone hydrochloride or another opioid antagonist from a manufacturer or wholesaler. (EC 49414.3)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of naloxone hydrochloride or another opioid antagonist for a period of three years from the date the records were created. (Business and Professions Code 4119.8)

(11/11 12/13) 12/14

Date Adopted: May 27, 2015

Date Revised: December 14, 2022, June 10, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5141.31**

## IMMUNIZATIONS

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

Each student enrolling for the first time in a district school, preschool, or child care and development program or enrolling in or advancing to grade 7 shall present an immunization record from any authorized private or public health care provider certifying that the student has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

Transfer students shall be requested to present immunization records upon registration at district schools if possible.

The Superintendent or designee may arrange for an authorized health care provider to administer immunizations at school to any student whose parent/guardian has consented in writing. At the beginning of the school year, parents/guardians shall be notified of their right to provide consent for the administration of an immunization to their child at school. (EC 48980, 49403)

Date Adopted: March 2, 2016
Date Revised: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5141.31**

# IMMUNIZATIONS

## Required Immunizations

Upon a student's registration at a district school, the Superintendent or designee shall provide the student's parents/guardians a written notice summarizing the state's immunization requirements.

The Superintendent or designee shall not unconditionally admit any student to a district school, preschool, or child care and development program for the first time nor admit or advance any student to grade 7, unless the student has been fully immunized. The student shall present documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases: (Health and Safety Code 120335; 17 CCR 6025)

1. Measles, mumps, and rubella
2. Diphtheria, tetanus, and pertussis (whooping cough)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease deemed appropriate by CDPH

However, full immunization against hepatitis B shall not be a condition by which the Superintendent or designee shall admit or advance any student to grade 7. (Health and Safety Code 120335)

A student who qualifies for an individualized education program (IEP), unless otherwise exempt, shall be fully immunized in accordance with Health and Safety Code 120335 and this regulation. However, the district shall continue to implement the student's IEP and shall not prohibit the student from accessing any special education and related services required by the student's IEP regardless of whether the student is fully immunized. (Health and Safety Code 120335)

School personnel shall record information for each student regarding all doses of required immunizations and the status of all requirements in accordance with 17 CCR 6070. The school records shall be based on the student's immunization record provided by the student's health care provider, from the student's previous school immunization record, or through the California Immunization Registry (CAIR). (17 CCR 6070)

## IMMUNIZATIONS (continued)

### Exemptions

Exemption from one or more immunization requirements shall be granted under any of the following circumstances:

1. A medical exemption is submitted using the standardized form developed by CDPH and transmitted using CAIR which includes, but is not limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary. (Health and Safety Code 120372)

   A student who has a medical exemption issued prior to January 1, 2020 shall be allowed to continue enrollment until the next grade span, except that after July 1, 2021, a student may not be admitted or advanced to grade 7 unless the student has been immunized or a medical exemption form filed as stated above. (Health and Safety Code 120370)

   A temporary exemption shall not exceed one year, and all medical exemptions shall not extend beyond the grade span. (Health and Safety Code 120372)

   If a student's medical exemption is revoked by CDPH on the basis that the exemption does not meet applicable criteria for medical exemptions, the student shall continue in attendance and, within 30 calendar days of the revocation, commence the immunization schedule required for conditional admittance pursuant to 17 CCR 6050, as described below. (Health and Safety Code 120372)

   The student's parent/guardian may appeal a revocation to the Secretary of California Health and Human Services. If a revocation is appealed, the student shall continue in attendance and shall not be required to commence the immunization schedule required for conditional admittance provided the appeal is filed within 30 calendar days of the revocation. (Health and Safety Code 120372, 120372.05)

2. The student's parent/guardian filed with the district, before January 1, 2016, a letter or written affidavit stating that an immunization is contrary to the student's personal beliefs, in which case the student shall be exempted from the immunization until the student enrolls in the next applicable grade span requiring immunization (birth to preschool, grades K-6, grades 7-12). (Health and Safety Code 120335)

   When a student transfers to a different school within the district or transfers into the district from another school district in California, the student's personal beliefs exemption filed before January 1, 2016, shall remain in effect until the next applicable grade span. A student

transferring from a school outside the district shall present a copy of the personal beliefs exemption upon enrollment. When a student transfers into the district from outside California and presents a personal beliefs exemption issued by another state or country prior to January 1, 2016, the Superintendent or designee may consult with legal counsel regarding the applicable immunization requirements.

3. The student is enrolled in an independent study program pursuant to Education Code 51745-51749.6 and does not receive classroom-based instruction. (Health and Safety Code 120335)

**Conditional Enrollment**

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that the student has not received all the immunizations required for the student's age group, but has commenced receiving doses of all required vaccines and is not due for any other doses at the time of admission. The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses as specified in 17 CCR 6035. (Health and Safety Code 120340; 17 CCR 6035)

In addition, a transfer student may be conditionally admitted for up to 30 school days while the student's immunization records are being transferred from the previous school. If such documentation is not presented within 30 days, the student shall be excluded from school until the required immunizations have been administered. (17 CCR 6035)

The Superintendent or designee shall immediately enroll homeless students, foster youth, and students of military families even if their immunization records are missing or unavailable at the time of enrollment. School or district staff shall work with the student's prior school to obtain the student's immunization records or shall ensure that the student is properly immunized. (Education Code 48853.5, 49701; Health and Safety Code 120341; 42 USC 11432)

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, the student shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6040, 6070)

**Exclusions Due to Lack of Immunizations**

## IMMUNIZATIONS (continued)

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the Superintendent or designee shall notify the parent/guardian that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any. (Education Code 48216; 17 CCR 6040)

The Superintendent or designee shall exclude from further attendance an enrolled student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above. The student shall remain excluded from school until documentation is provided indicating that the student has received a dose of each required vaccine due at that time. (17 CCR 6040, 6055)

The student shall also be reported to the attendance supervisor or principal.

### Exclusion Due to Exposure to Disease

If the district has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and the student's documentation of immunization does not show proof of immunization against that disease, that student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120370)

### Records

Each student's immunization record shall be retained as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

The district shall also retain in the mandatory student record any physician or health officer statement, personal beliefs letter or affidavit, reason for conditional enrollment, or any other documentation related to the student's immunization record or exemptions.

At least annually, the Superintendent or designee shall file a written report on the immunization status of new students with CDPH and the local department of public health on forms prescribed by CDPH. (Health and Safety Code 120375; 17 CCR 6075)

**IMMUNIZATIONS (continued)**

**Audits**

If an audit reveals deficiencies in the district's reporting procedures, the Superintendent or designee shall present the Board with a plan to remedy such deficiencies.

Date Adopted: March 2, 2016
Date Revised: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5141.33**

## HEAD LICE

The Governing Board recognizes that head lice infestations among students require treatment but do not pose a risk of transmitting disease. The Superintendent or designee shall encourage early detection and treatment in a manner that minimizes disruption to the educational program and reduces student absences.

The Superintendent or designee may distribute information to parents/guardians of preschool and elementary students regarding routine screening, symptoms, accurate diagnosis, and proper treatment of head lice infestations. The Superintendent or designee also may provide related information to school staff.
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)

School employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible.

If a student is found with active, adult head lice, he/she shall be allowed to stay in school until the end of the school day. The parent/guardian of any such student shall be given information about the treatment of head lice and encouraged to begin treatment of the student immediately and to check all members of the family. The parent/guardian also shall be informed that the student shall be checked upon return to school the next day and allowed to remain in school if no active head lice are detected.

If a student is found consistently infested with head lice, he/she may be referred to a multidisciplinary team, which may consist of the school nurse, representatives from the local health department and social services, and other appropriate individuals, to determine the best approach for identifying and resolving problems contributing to the student's head lice infestations.
(cf. 1020 - Youth Services)
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

When it is determined that one or more students in a class or school are infested with head lice, the principal or designee may, at his/her discretion, notify parents/guardians of students in that class or school and provide them with information about the detection and treatment of head lice.

Staff shall maintain the privacy of students identified as having head lice.
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

## HEAD LICE (continued)

*Legal Reference:*
*EDUCATION CODE*
*48320-48325 School attendance review boards*
*49451 Physical examinations: parent's refusal to consent*
*Management Resources:*
*CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS*
*Guidelines on Head Lice Prevention and Control for School Districts and Child Care Facilities, rev. March 2012*
*A Parent's Guide to Head Lice, 2008*
*CALIFORNIA SCHOOL NURSES ORGANIZATION*
*Pediculosis Management, Position Statement, rev. 2011*
*WEB SITES*
*American Academy of Pediatrics: http://www.aap.org*
*California Department of Public Health: http://www.cdph.ca.gov*
*California School Nurses Organization: http://www.csno.org*
*Centers for Disease Control and Prevention, Parasitic Disease Information, Head Lice: http://www.cdc.gov/parasites/lice/head*

(7/99 7/06) 7/12

Date Adopted: November 3, 1988
Date Revised: November 1, 1995, August 3, 2016

**STUDENTS** **BP 5141.4**

# CHILD ABUSE PREVENTION AND REPORTING

The Governing Board is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse, assault, and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse, assault, and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

The Superintendent or designee may collaborate with the county's child welfare, probation, mental health, public health, and sheriff's departments; juvenile court; and office of education, on intervention programs for students.

## Child Abuse Prevention

The district's instructional program may provide age-appropriate and culturally sensitive child abuse prevention curriculum which explains students' right to live free of abuse, includes instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, informs students of available support resources, and teaches students how to obtain help and disclose incidents of abuse.

Sexual Health Instruction in middle/high school may include information on sexual abuse and assault, and human trafficking prevention, including instruction on the prevalence and nature of abuse, including sexual abuse and assault and human trafficking, strategies to reduce risk, techniques to set healthy boundaries, and how to safely seek assistance. (EC 51950)

Additionally, the district's program may include age-appropriate instruction in sexual abuse and sexual assault awareness and prevention. (EC 51900.6, 51950)

Parent(s)/guardian(s) shall have the right to excuse their child from all or part of instruction regarding abuse, including sexual abuse, and human trafficking prevention education, and assessments related to that education, in accordance with law and Board policy. (EC 51950)

The Superintendent or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to report child abuse or neglect. (EC 33133.5)

Additionally, student identification cards for students in grades 7-12 shall have printed on them the 988 Suicide and Crisis Lifeline, the National Domestic Violence Hotline (1-800-799-7233), and The Trevor Project's LGBTQ+ suicide hotline (1-866-488-7386, or by texting START to 678-678). In

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

addition, student identification cards of students in grades 7-12 may have printed on them a quick response (QR) code that links to the county's mental health resources website. (EC 215.5) The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

**Child Abuse Reporting**

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

Procedures for reporting child abuse, as specified in Penal Code 11164-11174.3, shall be included in the district and/or school comprehensive safety plan. (EC 32282)

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters as required by law and as specified in the accompanying administrative regulation. (EC 44691; Penal Code 11165.7)

Date Adopted: October 7, 2015

Date Revised: September 2, 2026

# CHILD ABUSE PREVENTION AND REPORTING

## Definitions

*Child abuse or neglect* includes the following: (PC 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person

2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1

3. Neglect of a child as defined in Penal Code 11165.2

4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3

5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (PC 11165.6)

2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of employment as a peace officer (PC 11165.5, 11165.6)

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be legally privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (EC 44807)

4. An injury caused by a district employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain weapons or other dangerous objects within the control of a student (EC 49001)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (EC 49001)

Additionally, general neglect does not include: (PC 11165.2)

## CHILD ABUSE PREVENTION AND REPORTING (continued)

1. A parent/guardian's economic disadvantage

2. A child receiving treatment by spiritual means pursuant to Welfare and Institutions Code 16509.1, or not receiving specified medical treatment for religious reasons

*Mandated reporters* include, but are not limited to, Governing Board members; teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; licensees, administrators, and employees of a licensed child day care facility; Head Start program teachers; district police or security officers; licensed nurses or health care providers; administrators, presenters, and counselors of a child abuse prevention program; and volunteers who are over 18 years of age and who interact with students outside of the immediate supervision and control of the student's parent/guardian or a school employee. (PC 11165.7)

*Reasonable suspicion* means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on the person's training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (PC 11166)

### Reportable Offenses

Using the procedures provided below, a mandated reporter shall make a report whenever the mandated reporter, while acting in a professional capacity or within the scope of employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (PC 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (PC 11165.9, 11166.05, 11167)

Any district employee who reasonably believes to have observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under 14 years of age shall notify a peace officer. (PC 152.3)

The fact that a child is experiencing homelessness or is classified as an unaccompanied minor, as defined in the federal McKinney-Vento Homeless Assistance Act (42 USC 11434a), is not, in and of itself, a sufficient basis for reporting child abuse or neglect. (PC 11165.15)

## CHILD ABUSE PREVENTION AND REPORTING (continued)

### Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (PC 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (PC 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (PC 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom the person knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (PC 11166)

### Reporting Procedures

1. Initial Telephone Report

   Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (PC 11165.9, 11166)

   Such reports shall be made to the following agency(ies): Shasta County Child Protective Services 1313 Yuba Street, Redding, CA 96001 Telephone: 530-225-5144

   When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report

   Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall prepare and either send, fax, or electronically transmit to the appropriate agency a written follow-up report, which includes a completed California Department of Justice (DOJ) form (BCIA 8572). (PC 11166, 11168)

   The DOJ form may be obtained from the district office or other appropriate agencies, such as the

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

police department, sheriff's department, or county probation or welfare department.

Reports of suspected child abuse or neglect shall include, if known: (PC 11167)

a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter

b. The child's name and address, present location, and, where applicable, school, grade, and class

c. The names, addresses, and telephone numbers of the child's parents/guardians

d. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child

e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to the mandated reporter. (PC 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (PC 11167)

3. Internal Reporting

The mandated reporter shall not be required to disclose the mandated reporter's identity to a supervisor, the principal, or the Superintendent or designee. (PC 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

other person shall not be a substitute for making a mandated report to the appropriate agency. (PC 11166)

### Training

Within the first six weeks of each school year, within the first six weeks of employment if hired during the school year, or within six weeks of commencing volunteer services, the Superintendent or designee shall provide training on mandated reporting requirements to district employees, persons working on their behalf, and volunteers who are mandated reporters. (EC 44691; Penal Code 11165.7)

The Superintendent or designee shall use the online training module provided by the California Department of Social Services (CDSS). (EC 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. Additionally, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (EC 44691; Penal Code 11165.7)

In addition, the Superintendent or designee shall provide annual training on the prevention of abuse, including sexual abuse and assault, of children on district property, by district staff and volunteers, or in district-sponsored programs. (EC 44691)

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (EC 44691)

A person who has completed the mandated reporter training provided by CDSS and received a certificate of completion within the previous 12 months shall be deemed to satisfy the mandated reporter training requirements specified in Education Code 44691.

The Superintendent or designee shall periodically provide continuing education that enables district personnel to learn about new developments in the understanding of abuse, including sexual abuse and assault, and human trafficking, and current prevention efforts and methods. Such education may include early identification of abuse, including sexual abuse, and human trafficking of students and minors. (EC 51950)

### Victim Interviews by Social Services

Whenever CDSS or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or

## CHILD ABUSE PREVENTION AND REPORTING (continued)

volunteer aide selected by the student. (PC 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform the person of the following requirements prior to the interview: (PC 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable the child to be as comfortable as possible

2. The selected person shall not participate in the interview

3. The selected person shall not discuss the facts or circumstances of the case with the child

4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (PC 11174.3)

### Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (EC 48906)

### Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring on district property to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those guidelines and/or procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect on district property, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. Additionally, the employee shall file a report when obligated to do so pursuant to Penal Code 11166 using the procedures described above for mandated reporters.

## CHILD ABUSE PREVENTION AND REPORTING (continued)

Additionally, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 3200-3205.

### Notifications

The Superintendent or designee shall provide to all new employees and volunteers who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. Additionally, the district shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (PC 11165.7, 11166.5)

Before beginning employment or volunteering, any person who will be a mandated reporter by virtue of the person's position shall sign a statement indicating knowledge of the reporting obligations under Penal Code 11166 and compliance with such provisions. The signed statement shall be retained by the Superintendent or designee. (PC 11166.5)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

Additionally, the Superintendent or designee shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of the mandated reporter's professional capacity or outside the scope of employment (PC 11172)

   Any other person making a report shall not incur civil or criminal liability unless it can be proven that the person knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (PC 11172)

2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, the mandated reporter may be guilty of a crime punishable by a fine and/or imprisonment (PC 11166)

No employee shall be subject to any sanction by the district for making a report unless it can be shown that the employee knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (PC 11166, 11172)

Date Adopted: October 7, 2015

Date Revised: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5141.52**

## SUICIDE PREVENTION

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

In developing measures and strategies for use by the district, the Superintendent or designee may consult with school health professionals, school counselors, school psychologists, school social workers, administrators, other staff, parents/guardians, students, suicide prevention experts, local health agencies, mental health professionals, and community organizations.
(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

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

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students
   (cf. 4131 - Staff Development)
   (cf. 4231 - Staff Development)
   (cf. 4331 - Staff Development)

2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others
   (cf. 6142.8 - Comprehensive Health Education)

3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students
   (cf. 5131 - Conduct)
   (cf. 5131.2 - Bullying)
   (cf. 5137 - Positive School Climate)
   (cf. 5145.3 - Nondiscrimination/Harassment)
   (cf. 5145.7 - Sexual Harassment)
   (cf. 5145.9 - Hate-Motivated Behavior)

4. The provision of information to parents/guardians regarding risk factors and warning signs of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis

**SUICIDE PREVENTION (continued)**

5. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions

6. Crisis intervention procedures for addressing suicide threats or attempts

7. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

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

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

Legal Reference:
EDUCATION CODE
215 Student suicide prevention policies
215.5 Suicide prevention hotline contact information on student identification cards
216 Suicide prevention online training programs
32280-32289 Comprehensive safety plan
49060-49079 Student records
49602 Confidentiality of student information
49604 Suicide prevention training for school counselors
GOVERNMENT CODE
810-996.6 Government Claims Act
PENAL CODE
11164-11174.3 Child Abuse and Neglect Reporting Act
WELFARE AND INSTITUTIONS CODE
5698 Emotionally disturbed youth; legislative intent
5850-5883 Children's Mental Health Services Act
COURT DECISIONS
Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554
Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008
Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009
NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS
Preventing Suicide: Guidelines for Administrators and Crisis Teams, 2015
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS
National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012
Preventing Suicide: A Toolkit for High Schools, 2012
WEB SITES
American Association of Suicidology: http://www.suicidology.org

## SUICIDE PREVENTION (continued)

American Foundation for Suicide Prevention: http://afsp.org
American Psychological Association: http://www.apa.org
American School Counselor Association: http://www.schoolcounselor.org
California Department of Education, Mental Health: http://www.cde.ca.gov/ls/cg/mh
California Department of Health Care Services, Suicide Prevention Program: http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx
Centers for Disease Control and Prevention, Mental Health: http://www.cdc.gov/mentalhealth
National Association of School Psychologists: http://www.nasponline.org
National Institute for Mental Health: http://www.nimh.nih.gov
Trevor Project: http://thetrevorproject.org
U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: http://www.samhsa.gov

(7/09 3/17) 12/18
Date Adopted: June 7, 2017
Date Revised: March 4, 2020

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5141.52**

## SUICIDE PREVENTION

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

Staff Development

Suicide prevention training shall be provided to teachers, counselors, and other district employees who interact with students. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies.
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

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

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

1. The higher risk of suicide among certain groups, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth

2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, impulsivity, and other factors
(cf. 5131.6 - Alcohol and Other Drugs)

3. Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent

4. Protective factors that may help to decrease a student's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community

5. Instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health

6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups
(cf. 5141.6 - School Health Services) (cf. 6164.2 - Guidance/Counseling Services)

**STUDENTS** **AR 5141.52**

**SUICIDE PREVENTION (continued)**

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

8. District procedures for responding after a suicide has occurred

Instruction

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

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

2. Develop coping and resiliency skills and self-esteem

3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent

4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking services for mental health, substance abuse, and/or suicide prevention

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5141.6 - School Health Services)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6164.2 - Guidance/Counseling Services)

Intervention

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

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

**SUICIDE PREVENTION (continued)**

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, referenced, or discussed with third parties, the counselor may report to the principal or student's parents/guardians when there is reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or others within the school community. In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment. (EC 49602)
(cf. 5141 - Health Care and Emergencies)

School employees shall act only within the authorization and scope of their credential or license. An employee is not authorized to diagnose or treat mental illness unless specifically licensed and employed to do so. (EC 215)

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall receive training that includes identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.
(cf. 5138 - Conflict Resolution/Peer Mediation)

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

1. Immediately securing medical treatment and/or mental health services as necessary

2. Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened

3. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene

4. Removing other students from the immediate area as soon as possible
   (cf. 0450 - Comprehensive Safety Plan)
   (cf. 5141 - Health Care and Emergencies)

The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat.
(cf. 5125 - Student Records)

The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If

follow-up care is still not provided, the Superintendent or designee shall consider whether it is necessary, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.
(cf. 5141.4 - Child Abuse Prevention and Reporting)

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

Postvention

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

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

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.
(cf. 1112- Media Relations)

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

(7/09 3/17) 12/18

Date Adopted: June 7, 2017
Date Revised: March 4, 2020

# WEATHER SAFETY

The Governing Board recognizes that extreme weather may pose significant risks to the health and safety of students participating in physical activities during extreme weather conditions, including students who are at higher risk of health impacts from extreme weather. The Board desires to protect students from such risks. Additionally, because children are particularly vulnerable to the effects of overexposure to ultraviolet (UV) radiation from the sun and artificial sources, the Board desires to support the prevention of harmful effects of excessive UV radiation exposure by students and to assist students in developing sun-safe habits to use throughout their lives.

*Extreme weather* conditions means occurrences of unusually severe weather conditions, including, but not limited to, periods of extreme heat, excessive precipitation, and floods, that may pose significant harm to students. (EC 33355)

*Physical activity* means physical education classes, sports, and athletic practices and games sponsored by a district, except for those relating to an interscholastic athletic program administered by the California Interscholastic Federation. (EC 33355)

The Superintendent or designee shall develop, maintain, and implement weather protocols for extreme weather conditions, which incorporate the standardized guidelines compiled by the California Department of Education and detail specific measures to be taken during extreme weather conditions, including, but not limited to: (EC 33355)

1. Clear criteria for determining when weather conditions are considered extreme weather conditions and warrant modification or cessation of outdoor physical activities

2. Procedures for monitoring weather forecasts and alerts to anticipate extreme weather conditions

3. Protocols for communicating with staff, students, and parents/guardians regarding changes to outdoor activities due to extreme weather conditions

4. Designation of indoor alternative activities that can be safely conducted during extreme weather conditions

5. Staff training on recognizing signs of weather-related distress in students and appropriate response measures

6. Coordination with relevant local agencies and experts to ensure timely access to weather-related information and resources

The district's weather protocols may include:

1. Considering air quality conditions when determining whether outdoor physical activity should be modified

2. Maintaining air quality index thresholds for reducing or discontinuing strenuous outdoor activities

3. Having procedures for relocating activities indoors during periods of poor air quality or wildfire smoke

**WEATHER SAFETY (continued)**

4. Identifying and maintaining adequate mitigation resources, such as shade structures, hydrations stations, and indoor cooling areas
5. Providing equitable access to mitigation measures across school sites

6. Planning for flexible scheduling to accommodate weather variability

The Superintendent or designee shall annually review, evaluate, and, if necessary, update the weather protocols to incorporate best practices and address any emerging concerns or challenges, and to reflect changes in weather patterns, advances in safety practices, and feedback from stakeholders. (EC 33355)

**Sun Safety**

The Superintendent or designee shall establish a developmentally appropriate prevention/intervention program for grades transitional kindergarten-12 to prevent student overexposure to UV radiation. The Superintendent or designee may coordinate sun safety and UV radiation education and policy efforts with the California Department of Public Health, the local health department, and other local agencies and/or community organizations. Such school-based programs shall involve students, parents/guardians, and the community.

The Superintendent or designee may incorporate sun safety elements into the curriculum in order to increase students' understanding of the health risks associated with overexposure to UV radiation from the sun or artificial sources and to encourage students to engage in preventive practices.

Students may take reasonable measures to protect their skin and eyes from overexposure to the sun while on campus, while attending district-sponsored activities, or while under the supervision and control of district employees.

To encourage and assist students to avoid overexposure to the sun when they are outdoors, students shall be allowed to:

1. Wear sun-protective clothing, including, but not limited to, hats (EC 35183.5)
2. Wear UV-protective sunglasses outdoors

3. Use sunscreen during the school day without a physician's note or prescription (EC 35183.5)

   Those students using sunscreen shall be encouraged to apply sunscreen at least 15-20 minutes prior to any outdoor activity that will require prolonged exposure to the sun. School personnel shall not be required to assist students in applying sunscreen.

4. Use UV-protective lip balm

**WEATHER SAFETY (continued)**

The Superintendent or designee shall evaluate the adequacy of shaded and/or indoor areas for recreation at each school and consider the provision of sufficient shaded areas in plans for new construction or modernization of facilities.

The Superintendent or designee may monitor the UV Index and modify outdoor school activities with regard to the risk of harm associated with the Index level.

Staff shall be encouraged to model recommended sun-safe behaviors, such as avoiding excessive sun exposure, using sunscreen, and wearing hats and other sun-protective clothing.

The Superintendent or designee shall inform school staff and parents/guardians of the district's sun safety measures and encourage parents/guardians to provide sunscreen, lip balm, hats, and other sun-protective clothing for their children to use at school. Additionally, the Superintendent or designee may provide information to parents/guardians about the risks of overexposure to UV radiation and preventive measures they may take to protect their children during nonschool hours.

Date Adopted: June 29, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5142**

## SAFETY

The Governing Board recognizes the importance of providing a safe school environment that is conducive to learning and engagement and promotes student safety and well-being. Appropriate measures shall be implemented to minimize the risk of harm to students, including, but not limited to, protocols for maintaining safe conditions on school grounds, promoting safe use of school facilities and equipment, including safe use of technology, and guiding student participation in educational programs and school-sponsored activities.

The Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

District staff shall be responsible for the proper supervision of students at all times when students are subject to district rules, including, but not limited to, during school hours, district-sponsored activities, before and after-school programs, morning drop-off and afternoon pick-up, and while students are using district provided transportation.

Additionally, district employees, volunteers, and contractors shall promote safe environments for student learning and engagement that maintain appropriate boundaries among and between students. (EC 32100)

Appropriate boundaries shall be maintained between students and school employees, adult volunteers, and school contractors, and among and between adults employed, volunteering, or under contract with the district, in accordance with Board Policy 4119.21 - Professional Standards and Board Policy 4119.24 - Maintaining Appropriate Adult-Student Interactions.

In addition, school facilities, including classroom and nonclassroom environments, shall be constructed and furnished in order to promote safe environments for learning and engagement that are easily supervised by district staff. (EC 32100)

The Superintendent or designee shall ensure that students receive appropriate instruction on topics related to safety and emergency procedures, as well as injury and disease prevention.

### Crossing Guards/Student Safety Patrol

To assist students in safely crossing streets adjacent to or near school sites, the Board may employ crossing guards and/or establish a student safety patrol at any district school. The Superintendent or designee shall periodically examine traffic patterns within school attendance areas in order to identify locations where crossing assistance may be needed.

Date Adopted: May 24, 2023
Date Revised: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5142**

## SAFETY

At each school, the principal or designee shall establish emergency procedures, rules for student conduct, and rules for the safe and appropriate use of school facilities, equipment, and materials, consistent with law, Board policy, and administrative regulation. The rules shall be communicated to students, distributed to parents/guardians, and readily available at the school at all times.

### Release of Students

For information related to release of students during an emergency, see AR 3516 - Emergencies and Comprehensive Safety Plan. Students shall be released during the school day only to the custody of an adult who is one of the following:

1. The student's custodial parent/guardian

2. An adult authorized in the district's student information system as an individual to whom the student may be released when the custodial parent/guardian cannot be reached, provided the principal or designee verifies the adult's identity

3. An authorized law enforcement officer acting in accordance with law

4. An adult taking the student to emergency medical care at the request of the principal or designee

### Supervision of Students

Teachers shall be present at their respective rooms and shall open them to admit students not less than 30 minutes before the time that school starts. (5 CCR 5570)

Every teacher shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, and during recess. (EC 44807)

The principal or designee shall require all individuals supervising students to remain alert for unauthorized persons and dangerous conditions, and promptly report any unusual incidents to the principal or designee and file a written report as appropriate.

Any certificated or classified employee, or other school official, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle of high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, shall immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. (EC 49390, 49393)

**SAFETY (continued)**

Threat or perceived threat means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual. (EC 49390)

Additionally, anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator.

In arranging for appropriate supervision on playgrounds, the principal or designee shall:

1. Clearly identify supervision zones and require all playground supervisors to remain at a location from which they can observe their entire zone of supervision and be observed by students in the supervision zone

2. Consider the size of the playground area, the number of areas that are obstructed from open view, and the age of the students to determine the ratio of playground supervisors to students

At any school where playground supervision is not otherwise provided, the principal or designee shall provide for certificated employees to supervise the conduct and safety, and direct the play, of students who are on school grounds before and after school and during recess and other intermissions. (5 CCR 5552)

The Superintendent or designee shall ensure that teachers, teacher aides, playground supervisors, yard aides, and volunteers who supervise students receive training in safety practices and in supervisory techniques that will help prevent problems and resolve conflicts among students. Additionally, all staff and other school officials shall be made aware of their responsibilities regarding the reporting of potential homicidal acts to law enforcement, and receive training in the assessment and reporting of such threats. The training shall be documented and kept on file.

**Student Identification Cards and Safety Information**

Student identification cards of students in grades 7-12 shall have printed on them the 988 Suicide and Crisis Lifeline, the National Domestic Violence Hotline (1-800-799-7233), and The Trevor Project's LGBTQ+ suicide hotline (1-866-488-7386, or by texting START to 678-678). Additionally, student identification cards of students in grades 7-12 may have printed on them a quick response (QR) code that links to the county's mental health resources website. (EC 215.5)

**STUDENTS** **AR 5142**

**SAFETY (continued)**

### Student Safety Patrols

A school safety patrol shall be composed of students of the school selected by the principal or designee and shall be allowed to serve only with written consent of the students and the student's parents/guardians. Patrol members shall be at least 10 years of age and in the fifth grade. (EC 49302; 5 CCR 571)

School safety patrols shall be used only at those locations where the nature of traffic will permit their safe operation. The locations where school safety patrols are used should be determined jointly with the local law enforcement agency. (5 CCR 572)

Patrol members shall be under the supervision and control of the principal or designee and shall receive training in proper procedures, including, but not limited to, the operations specified in 5 CCR 573-574. Whenever on duty, patrol members shall wear the standard uniform required by 5 CCR 576.

### Playground Safety

Any new playground or any replacement of equipment or modification of components inside an existing playground shall conform to standards set forth by the American Society for Testing and Materials and the guidelines set forth by the U.S. Consumer Product Safety Commission. The Superintendent or designee shall have a playground safety inspector certified by the National Playground Safety Institute conduct an initial inspection to aid compliance with applicable safety standards. (Health and Safety Code 115725)

The Superintendent or designee may permit students to avoid overexposure to sun and extreme weather conditions when they are outdoors and evaluate the adequacy of shade in playground areas in accordance with Board Policy 5141.75 - Weather Safety and Board Policy/Administrative Regulation 6142.7- Physical Education and Activity.

### Activities with Safety Risks

Due to concerns about the risk to student safety, the principal or designee shall not permit the following activities on campus or during district-sponsored events unless the activity is properly supervised, students wear protective gear as appropriate, and each participant has insurance coverage:

1. Trampolining

**SAFETY (continued)**

2. Scuba diving
3. Skateboarding or use of scooters
4. In-line or roller skating or use of skate shoes
5. Sailing, boating, or water skiing
6. Cross-country or downhill skiing
7. Motorcycling
8. Target shooting
9. Horseback riding
10. Rodeo
11. Archery
12. Mountain bicycling
13. Rock climbing
14. Rocketeering
15. Surfing
16. Body Contact Sports
17. Other activities determined by the principal to have a high risk to student safety

Any student who rides a personal transportation device, such as a bicycle, scooter, electric bicycles (e-bikes), and electric scooters (e-scooters) skateboard, or roller skates to school shall follow all laws and regulations regarding proper usage, speed limits, age, licensing, and equipment requirements, including wearing a properly fitted and fastened bicycle helmet. Personal transportation devices that do not meet legal standards for use on public roads or paths may not be permitted on school campuses.

**SAFETY (continued)**

Riding a personal transportation device is not permitted on school campus during the school day. On campus, a personal transportation device should be walked to designated parking areas and secured.

As needed, the Superintendent or designee may periodically provide training or instruction to students on the safe use of electric, motorized or nonmotorized bicycles, scooters, skateboards, and roller skates.

### Events In or Around a Swimming Pool

When any on-campus event that is not part of an interscholastic athletic program is sponsored or hosted by the district and is to be held in or around a swimming pool, at least one adult with a valid certification of cardiopulmonary resuscitation training shall be present throughout the duration of the event. (EC 35179.6)

### Laboratory Safety

The principal of each school offering laboratory work shall develop procedures for laboratory safety and designate a trained certificated employee to regularly review, update, and implement these procedures.

Students in a laboratory shall be under the supervision of a certificated employee. Students shall be taught laboratory safety, and safety guidelines and procedures shall be posted in science classrooms. Students shall receive continual reminders about general and specific hazards.

Hazardous materials shall be properly used, stored, and disposed of in accordance with law and the district's chemical hygiene plan.

Bloodborne pathogens shall be handled in accordance with the district's exposure control plan.

The district's emergency plan, emergency contact numbers, and first aid supplies shall be readily accessible.

Parents/guardians shall be made aware of the kinds of laboratory activities that will be conducted during the school year.

### Hearing Protection

The Superintendent or designee shall monitor students' exposure to excessive noise in classrooms and provide protection as necessary. Additionally, the Superintendent or designee may provide

**SAFETY (continued)**

hearing conservation education to teach students ways to protect their hearing.

### Eye Safety Devices

The Superintendent or designee shall provide schools with eye safety devices for use whenever students, teachers, or visitors are engaged in or observing an activity or using hazardous substances likely to cause injury to the eyes. Eye safety devices may be sold to students for an amount not to exceed the actual cost to the district. (EC 32030, 32031, 32033)

### Protection Against Insect Bites

To help protect students against insect bites or stings that may spread disease or cause allergic reactions, students shall be allowed to apply insect repellent provided by their parents/guardians, when engaging in outdoor activities. Any application of insect repellent shall occur under the supervision of school personnel, and in accordance with the manufacturer's directions.

Date Adopted: May 24, 2023
Date Revised: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5144.1**

## SUSPENSION AND EXPULSION/DUE PROCESS

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

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

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

1. While on school grounds

2. While going to or coming from school

3. During the lunch period, whether on or off the school campus

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

Off campus behavior may result in discipline when it disrupts district programs and activities or as otherwise prohibited by law, Board Policy, or administrative regulation.

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

### Appropriate Use of Suspension Authority

Except when a student's act violates EC 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when the student's presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (EC 48900.5, 48900.6)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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

No student may be suspended for disruption or willful defiance, except by a teacher pursuant to EC 48910. (EC 48900)

Students shall not be suspended or expelled based solely on a student's truancy, tardiness, or absenteeism from assigned school activities. (EC 48900)

**On-Campus Suspension**

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

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (EC 48900.5)

**Authority to Expel**

A student may be expelled only by the Board. (EC 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (EC 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4

6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (EC 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board Meeting (EC 48918(j))

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (EC 48917)

No student shall be expelled for disruption or willful defiance. (EC 48900)

No child enrolled in a preschool program shall be expelled or unenrolled except under limited circumstances in accordance with Education Code 8489.1 and as specified in Administrative Regulation 5148.3 Preschool/Early Childhood Education.

**Due Process**

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (EC 48911, 48915, 48915.5, 48918)

**Plan for Rehabilitation**

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, in accordance with the accompanying administrative regulation.

**Maintenance and Monitoring of Outcome Data**

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsion, including, but not limited to: (EC 48900.8 and 48916.1)

1. The number of students recommended for expulsion

2. The grounds for each recommended expulsion

3. The actions taken by the Board, including whether the student was subsequently expelled and whether the expulsion order was suspended

4. The types of referral made after each expulsion

5. The disposition of the students after the expulsion period, including the completion of a rehabilitation plan or the successful readmission of the student, or both

6. The average length of the expulsion terms, including any extensions

For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board at least annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, long-term English learners, students with disabilities, foster youth, and students experiencing homelessness. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan, which may include monitoring intervention effectiveness.

Date Adopted: December 9, 2015
Date Revised: March 11, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5144.1**

## SUSPENSION AND EXPULSION/DUE PROCESS

### Definitions

*Suspension* means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (EC 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level

2. Referral to a certificated employee designated by the principal to advise students

3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910, so long as removal from a particular class does not occur more than once every five school days

*Expulsion* means removal of a student from the immediate supervision and control or the general supervision of school personnel. (EC 48925)

### Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (EC 35291, 48900.1, 48980)

### Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in "Additional Grounds for Suspension and Expulsion: Grades 4-12," below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (EC 48900(a) and (t))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (EC 48900(b))

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind (EC 48900(c))

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the same as a controlled substance, alcoholic beverage, or intoxicant (EC 48900(d))

5. Committed or attempted to commit robbery or extortion (EC 48900(e))

6. Caused or attempted to cause damage to school property or private property (EC 48900(f))

7. Stole or attempted to steal school property or private property (EC 48900(g))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (EC 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (EC 48900(i))

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (EC 48900(j))

11. Knowingly received stolen school property or private property (EC 48900(l))

12. Possessed an imitation firearm (EC 48900(m))

    *Imitation firearm* means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (EC 48900(m))

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 289, or former 288a, or committed a sexual battery as defined in Penal Code 243.4 (EC 48900(n))

    No student may be disciplined prior to a finding being made pursuant to the grievance process established by 34 CFR 106.45, in accordance with Administrative Regulation 5145.71 Title IX Sexual Harassment Complaint Procedures. However, a district may conduct a non-discipline removal of a student in emergency situations where there is an immediate threat to the health or safety of any student or other individual.

14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (EC 48900(o))

15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (EC 48900(p))

16. Engaged in, or attempted to engage in, hazing (EC 48900(q))

    *Hazing* means a method of initiation or pre-initiation into a student organization or body, regardless of whether the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (EC 48900(q))

17. Engaged in an act of bullying (EC 48900(r))

    *Bullying* means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student(s) in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (EC 48900(r))

    *Bullying* includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

*Bullying* also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

*Electronic act* means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (EC 48900(r))

a. A message, text, sound, video, or image

b. A post on a social network internet website, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above

   *Reasonable* student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of the student's age, or for a person of the student's age and disability. (EC 48900(r))

   *Burn page* means an internet website created for the purpose of causing a reasonable student any of the effects of bullying described above. (EC 48900(r))

   *Credible impersonation* means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that the student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated. (EC 48900(r))

   *False profile* means a profile of a fictitious student or profile using the likeness or attributes of an actual student other than the student who created the false profile. (EC 48900(r))

   An *electronic act* is not considered pervasive conduct solely on the basis that it has

been transmitted to the internet or is currently posted on the internet. (EC 48900(r))

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee may, as appropriate, engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. Additionally, the principal or designee may also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (EC 48900.5)

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (EC 48900(t))

19. Made terrorist threats against school officials and/or school property (EC 48900.7)

    A *terrorist threat* includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of $1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying out the crime. (EC 48900.7)

However, students who voluntarily disclose their use of a controlled substance, alcohol, an intoxicant of any kind, or tobacco in order to seek help through services or supports may not be suspended solely for that disclosure. (EC 48900)

A student may not be suspended or expelled for disruption or willful defiance. (EC 48900)

**Additional Grounds for Suspension and Expulsion: Grades 4-12**

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

1. Committed sexual harassment as defined in Education Code 212.5 (EC 48900.2)

   *Sexual harassment* means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating,

hostile, or offensive educational environment. (EC 212.5, 48900.2)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (EC 48900.3)

   *Hate violence* means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (EC 233; Penal Code 422.55)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (EC 48900.4)

**Suspension from Class by a Teacher**

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as Items #1-19 under "Grounds for Suspension and Expulsion: Grades K-12" above or for disruption or willful defiance at any grade level. (EC 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, the student shall be appropriately supervised during the class periods from which the student has been suspended. (EC 48910)

As soon as possible after the teacher has suspended the student, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if requested by the parent/guardian or teacher. (EC 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (EC 48910)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which the student was suspended. (EC 48910)

Additionally, a teacher may refer a student, for any of the acts specified above in Education Code 48900, to the principal or designee for consideration of a suspension from school. (EC 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (EC 48913)

**Suspension by Superintendent, Principal, or Principal's Designee**

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity away from school to have committed any of the acts listed in the accompanying Board policy under "Authority to Expel" for which a recommendation of expulsion is required. (EC 48915(c))

The Superintendent, principal, or designee may impose a suspension for a first offense if it is determined that the student violated any of Items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (EC 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. (EC 48900.5)

When other means of correction are implemented prior to imposing suspension upon a student, including supervised suspension, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (EC 48900.5)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

## Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (EC 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school or class, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (EC 48903, 48911, 48912)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (EC 48911)

## Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal

   At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence in the student's defense. (EC 48911)

   This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, the student, the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, shall be notified of the student's right to a conference and the right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives the right to it or is physically unable to attend for any reason. In such a

case, the conference shall be held as soon as the student is physically able to return to school for the conference. (EC 48911)

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee

   A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (EC 48911)

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone

   Whenever a student is suspended, the parent/guardian, or, if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, shall also be notified in writing of the suspension. (EC 48911)

   This notice shall state the specific offense committed by the student. (EC 48900.8)

   Additionally, the notice shall state the date and time when the student may return to school.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may conduct a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter (EC 48914)

   If school officials request to meet with the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, the notice may state that the law requires such individuals to respond to the request without delay. However, the student shall not be penalized for the failure of the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, to attend such a conference. The student may not be denied reinstatement solely because such individuals failed to attend the conference. (EC 48911)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (EC 48911)

    a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard

    This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

    b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process

    c. If the student involved is a foster youth or Indian child, the Superintendent or designee shall notify the district's educational liaison of the need to invite the foster youth's educational rights holder, attorney and county social worker, or the Indian child's tribal social worker or, if applicable, the county social worker, to attend the meeting (EC 48853.5, 48911, 48918.1)

    d. If the student involved is a child or youth experiencing homelessness, the Superintendent or designee shall notify the district liaison for homeless students (EC 48918.1)

    e. In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct the behavior and keep the student in school

**Suspension by the Board**

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," and "Additional Grounds for Suspension and Expulsion: Grades 4-12," above and within the limits specified under "Suspension by Superintendent, Principal, or Designee," above. (EC 48912)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (EC 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079. (EC 35146, 48912)

The Board shall provide the student and parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (EC 35146, 48912)

**On-Campus Suspension**

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (EC 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law

2. The student shall have access to appropriate counseling services

3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension

4. The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom and the teacher(s) shall provide all assignments and tests that the student will miss while suspended

   If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

Indian child's tribal social worker and, if applicable, county social worker, in person, by email, or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (EC 48911.1)

### Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, the Superintendent or principal shall recommend a student's expulsion for any of the following acts: (EC 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11059, except for:
    a. The first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
    b. The student's possession of over-the-counter medication for use by the student for medical purposes
    c. Medication prescribed for the student by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (EC 48915)

### Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

the expulsion recommendation. (EC 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (EC 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (EC 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (EC 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (EC 48918(a))

**Stipulated Expulsion**

After a determination that a student has committed an offense for which the student may be expelled, the Superintendent, principal, or designee shall offer the student, the student's parent/guardian, or, when applicable, other person holding the right to make educational decisions for the student, the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after written notice of the expulsion hearing pursuant to Education Code 48918 has been given.

The stipulation agreement shall be in writing and shall be signed by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student, shall be effective upon approval by the Board.

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (EC 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, the Superintendent or designee shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of the right to: (EC 48918.5)

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (EC 48918.5)

### Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (EC 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

   *Legal counsel* means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

   *Nonattorney adviser* means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing

7. The opportunity to confront and question all witnesses who testify at the hearing

8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

**Additional Notice of Expulsion Hearing for Foster Youth, Students Experiencing Homelessness, and Indian Children**

If the student facing expulsion is a foster student or Indian child, the Superintendent or designee shall also send notice of the hearing to the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, at least 10 calendar days prior to the hearing. (EC 48918.1)

If the student facing expulsion is a student experiencing homelessness, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 calendar days prior to the hearing. (EC 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (EC 48918.1)

**Conduct of Expulsion Hearing**

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student

requests in writing at least five days prior to the hearing that the hearing be a public meeting

If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (EC 48918)

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (EC 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (EC 48918(c)

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made (EC 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion

   After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (EC 48918(i))

   Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (EC 48918(i))

   If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at

the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in Item #4 below. (EC 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs

   The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," and "Additional Grounds for Suspension and Expulsion: Grades 4-12," above. (EC 48918(h))

   Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (EC 48918(f))

   In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (EC 48918, 48918.5)

   a. Any complaining witness shall be given five days' notice before being called to testify

   b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony

   c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential

   d. The person presiding over the hearing may remove a support person who is disrupting the hearing

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment

i. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony

ii. At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room

iii. The person conducting the hearing may:

a. Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness

b. Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours

c. Permit one of the support persons to accompany the complaining witness to the witness stand

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed (EC 48918(a))

**Alternative Expulsion Hearing: Hearing Officer or Administrative Panel**

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Additionally, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (EC 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (EC 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by the student's parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (EC 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (EC 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

which the referral was made until the Board has ruled on the recommendation. (EC 48917, 48918)

**Final Action by the Board**

Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (EC 48918(j))

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (EC 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which shall include, but not be limited to, periodic review and a preliminary assessment for readmission at least 45 days before the end of the expulsion term. The plan shall be tailored to the student's needs and address the behavior that led to the expulsion. The plan may be developed in consultation with district staff who have knowledge or special expertise regarding the student and include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs. (EC 48916)

The Board shall assist the student in locating accessible opportunities that are necessary to complete the requirements of the student's plan for rehabilitation, including, but not limited to, opportunities for counseling and community service. (EC 48916)

The Board shall not require the student or the student's parents/guardians to pay for any costs or services the Board determines to be necessary for the student to complete the student's plan of

rehabilitation. (EC 48916)

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (EC 48916.5)

**Written Notice to Expel**

The Superintendent or designee shall send written notice of the decision to expel to the student, or if the student is under 18 years of age, to the student's parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (EC 48900.8)

2. A description of readmission procedures (EC 48916)

3. Notice of the right to appeal the expulsion to the County Board (EC 48918)

4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (EC 48918)

5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (EC 48918)

**Decision to Suspend Expulsion Order**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior

2. The seriousness of the misconduct

3. The student's attitude toward the misconduct and willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation

   This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (EC 48917)

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status (EC 48917)

3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above, or violates any of the district's rules and regulations governing student conduct (EC 48917)

4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order (EC 48917)

5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school

   Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (EC 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian

   The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (EC 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board (EC 48917)

**STUDENTS** **AR 5144.1**

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### Appeal

If a student is expelled from school, the student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (EC 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (EC 48919)

### Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (EC 48902)

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (EC 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (EC 48902)

### Placement During Expulsion

The Board shall refer expelled students to a program of study that is: (EC 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems

2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

3. Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in Items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and Items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (EC 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (EC 48916.1)

The Board shall receive notification from the County Superintendent of Schools, if at any time during the expulsion term and for any reason the County Superintendent is unable to serve the students expelled by the district. Upon notification, the Board shall ensure that another educational program is provided to the student for the duration of the expulsion order which may include entering into an agreement with a County Superintendent in another county to provide education services for the district's expelled students. (EC 48916.1)

Upon the change of a student's eligibility for an educational program or at the request of the student's parent/guardian, the Board shall review with the student and the student's parent/guardian the educational options for expelled students as outlined in the plan to provide education services to expelled students pursuant to Education Code 48926. (EC 48916.1)

**Readmission After Expulsion**

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the student's parent/guardian, or other person holding the right to make educational decisions for the student, and the student

   At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and the student's parent/guardian or other person holding the right to make educational decisions for the student shall be asked to indicate in writing their willingness to comply with these regulations.

   As part of the review process, the Board shall, upon being informed by the Superintendent or designee, indicate whether the student had access to the necessary resources to complete

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

the student's rehabilitation plan. A rehabilitation plan that is not completed due to financial or transportation barriers or a lack of viable opportunities to complete a term of the rehabilitation plan shall not be a basis to deny the readmission of a student. (EC 48916)

2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission

   The Board shall consider this recommendation in closed session. If a written request for open session is received from the student's parent/guardian or other person holding the right to make educational decisions for the student, or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, by registered mail, of the Board's decision regarding readmission

4. The Board may deny readmission only if it finds that the student either: (EC 48916)

   a. Has not substantially satisfied the conditions of the rehabilitation plan despite having access to the necessary resources and viable opportunities to complete their rehabilitation plan

   b. That the student continues to exhibit documented behaviors that the student was expelled for or is documented to have committed one or more new acts during the expulsion term that would make the student eligible for another expulsion

5. If Board denies the readmission of a student pursuant to Item #4, the expulsion term may be extended for one semester at a time, at which point the student shall be reassessed for readmission pursuant to Item #1

6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school

7. The Board shall provide written notice to the expelled student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, describing the reasons for denying readmittance into the regular program

This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district.

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (EC 48645.5)

**Maintenance of Records**

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (EC 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (EC 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (EC 48915.1)

Date Adopted: December 9, 2015
Date Revised: March 11, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5144.4**

## REQUIRED PARENTAL ATTENDANCE

The Governing Board is committed to providing a safe school environment and setting expectations for appropriate student conduct. The Superintendent or designee may involve parents/guardians in student discipline as necessary to improve a student's behavior and encourage personal responsibility.
(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.2 - Bullying)
(cf. 5144 - Discipline)
(cf. 6020 - Parent Involvement)

When removing a student from class pursuant to Education Code 48910 for committing an act of obscenity, habitual profanity or vulgarity, disruption of school activities, or willful defiance, the teacher of the class may require any parent/guardian who lives with the student to accompany the student for a portion of a school day in the class from which the student has been removed. (EC 48900.1)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

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

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

Legal Reference:
EDUCATION CODE
35291 Rules (for government and discipline of schools)
35291.5 Rules and procedures on school discipline
48900-48927 Suspension and expulsion, especially:
48900 Grounds for suspension and expulsion
48900.1 Required parental attendance
48910 Suspension by teacher
Management Resources:
CSBA PUBLICATIONS
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014
WEB SITES
CSBA: http://www.csba.org
California Attorney General's Office: http://www.oag.ca.gov
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education, Office for Civil Rights:
http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf
U.S. Department of Education, Office of Safe and Healthy Students: https://www2.ed.gov/about/offices/list/oese/oshs

4/15

Date Adopted: November 6, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5144.4**

## REQUIRED PARENTAL ATTENDANCE

Whenever a teacher requires a parent/guardian to attend a portion of a school day with his/her child for the child's commission of an act specified in Education Code 48900(i) or (k), the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (EC 48900.1)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.6 - Parental Notifications)

The notice shall:
1. Inform the parent/guardian of the date that his/her presence is expected, the length of the visit, and by what means he/she may arrange an alternate date

2. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student

3. Direct the parent/guardian to meet with the principal after the visit and before leaving school

4. Direct the parent/guardian to contact the school if there are reasonable factors that would prevent him/her from complying with the attendance requirement

Attendance of the parent/guardian shall be limited to the class from which the student was removed. (EC 48900.1)

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

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by any method that maintains the confidentiality of the student's records.
(cf. 5125 - Student Records)

4/15

Date Adopted: November 6, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5145.3**

## NONDISCRIMINATION/HARASSMENT

The Governing Board desires to provide a welcoming, safe, and supportive school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities.

This policy shall apply to all acts constituting unlawful discrimination or harassment related to district activity or attendance, to acts which occur off campus or outside of district-related or district-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Board and the Superintendent in enacting policies and procedures that govern the district.

The Board prohibits, at any district school or activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, against an individual or group based on one, or a combination of two or more, protected characteristics, which include, but may not be limited to, race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. (EC 200, 210.1, 210.2, 212, 212.1, 220, 221.51, 230, 260; GC 11135, 12926; 20 USC 1681-1688, 42 USC 2000d-2000d-7)

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

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

Because unlawful discrimination could occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 - Discipline, Board Policy and Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

The Board also prohibits any form of retaliation against any individual who reports or participates in

**NONDISCRIMINATION/HARASSMENT (continued)**

the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates, participates, or refuses to participate in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's website in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. (EC 234.1, 234.6; 34 CFR 106.8)

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

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

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination related to a district activity, attendance, or district-related or district-sponsored activity, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

When a student has been suspended, or other means of correction have been implemented against the student for an incident of racist bullying, harassment, or intimidation, the principal or designee may engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee may also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and

regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (EC 48900.5)

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

Complaints alleging unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures, when required by law. However, complaints alleging sexual harassment under Title IX shall be investigated and resolved in accordance with the procedures specified in Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures.

**Record-Keeping**

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

Board Adopted: October 6, 2004
Date Revised: June 20, 2012, September 7, 2016, November 7, 2018, August 7, 2024, September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**COMMUNITY RELATIONS** **AR 5145.3**

# NONDISCRIMINATION/HARASSMENT

The district designates the individual(s) identified below as the Compliance Officer(s). The employee(s) is responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the Compliance Officer(s) specified in Administrative Regulation 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination of a student, and the Title IX Coordinator specified in Administrative Regulation 5145.7 - Sexual Harassment as the responsible employee to handle complaints alleging unlawful sexual harassment, as permitted by law. The Compliance Officer(s) may be contacted at: (EC 234.1; 5 CCR 4621)

Director of Human Resources
1155 Mistletoe Lane, Redding, California 96002
hr@eesd.net

## Measures to Prevent Discrimination

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

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the Compliance Officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through district-supported communications

2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students (EC 234.1, 234.6)

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students (EC 234.6)

4. Post in a prominent location on the district website in a manner that is easily accessible to parents/guardians and students, information regarding Title IX prohibitions against discrimination based on a student's sex, including the following: (EC 221.6, 221.61, 234.6)

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

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

c. A description of how to file a complaint of noncompliance under Title IX, which shall include:

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

ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on OCR's website

iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) website

5. Post CDE's standardized incident form to track racial discrimination, harassment, or hazing that occurs at high school sporting games or events, including information on how to submit a completed incident form to the district (EC 33353)

6. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families (EC 234.5, 234.6)

   Such resources shall be posted in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students. (EC 234.6)

7. Provide information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior

8. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students

   The notice shall inform students and parents/guardians that they may request to meet with the Compliance Officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all

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

9. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand

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

10. Provide to certificated employees serving students in grades 7-12 information on existing school and community resources related to the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ+) students, or related to the support of students who may face bias or bullying on the basis of any of the actual or perceived characteristics in Penal Code 422.55, including immigration status; Education Code 220; and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation; or association with a person or group with one or more of these actual or perceived characteristics (EC 234.1)

11. For the 2025-2026 school year through the 2029-2030 school year, provide annually to certificated employees serving students in grades 7-12 at least one hour of training to support LGBTQ+ cultural competency in accordance with Education Code 218.3

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

**Process for Initiating and Responding to Complaints**

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the Compliance Officer, Title IX Coordinator, principal, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the Compliance Officer, Title IX Coordinator, or principal, regardless of whether the alleged victim files a complaint.

Any district employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported, shall report the incident to the Compliance Officer, Title IX Coordinator, or principal within one workday, regardless of whether the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory

harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (EC 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal, Compliance Officer, or Title IX Coordinator, the principal, Compliance Officer, or Title IX Coordinator shall notify the student or parent/guardian of the right to file a formal complaint in accordance with Administrative Regulation 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the Compliance Officer or Title IX Coordinator shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

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

**Support for Intersex, Nonbinary, Transgender and Gender-Nonconforming Students**

*Gender* refers to a student's sex, and includes a student's gender identity and gender expression. (EC 210.7)

*Gender identity* refers to a student's gender-related identity, appearance, or behavior as determined from the student's internal sense, regardless of whether that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

*Gender expression* refers to a student's gender-related appearance and behavior, regardless of whether stereotypically associated with the student's assigned sex at birth. (EC 210.7)

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

*Gender-nonconforming* refers to when a student's gender expression differs from stereotypical expectations.

*Intersex* refers to when a student has natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

*Nonbinary* refers to when a student's gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming,

gender variant, or such other more specific term to describe their gender.

*Sex* refers to the biological condition of being a female or male human being. (5 CCR 4910)

*Transgender* refers to when a student's gender identity is different from the sex assigned at birth.

The district shall ensure that all students, regardless of sex, gender, gender identity, or gender expression, are afforded the same rights, benefits, and protections provided to students by law and Board policy. To do so, the Superintendent or designee shall address each situation that arises on a case-by-case basis and in accordance with the following guidelines:

1. To address any student's privacy concerns in using sex-segregated facilities, the district shall consider offering a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students

   Beginning July 1, 2026, each school shall provide and maintain at least one all-gender restroom for student use that meets the requirements of Education Code 35292.5.

2. Adherence to Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site, which may not discriminate on the basis of sex, gender, gender identity, or gender expression.

3. Equal Access to Educational Programs and Activities: Upon request by a student based on the student's gender identity or gender expression, the Compliance Officer shall identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The Compliance Officer shall consider the rights of all students and how those rights may affect and be affected by the rights of other students. Additionally, the Compliance Officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's sex, gender, gender identity, or gender expression so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are providing equal access to programs and activities.

4. Right to privacy: A student's sex, gender, gender identity, and gender status are private information The district may only disclose such information to others when the disclosure is permitted by law, with the student's prior written consent, or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. (EC 220.3, 220.5; 34 CFR 99.31, 99.36)

**NONDISCRIMINATION/HARASSMENT (continued)**

5. Student Records: A student's sex and legal name shall be maintained as part of a student's mandatory permanent student record as specified in 5 CCR 432 and shall only be changed with proper documentation (EC 49061-49072)

   When a request to change a student's gender or name is submitted without proper documentation, any change to the student's gender or name shall be applied only to documents not included in the mandatory permanent student record such as attendance sheets, report cards, and school identification.

   The Superintendent or designee shall follow this guideline such that it does not change or alter the obligations of the district to maintain student records in accordance with Board Policy/Administrative Regulation 5125 - Student Records, and to ensure access to such records in accordance with Board Policy/Administrative Regulation 1340 - Access to District Records.

The district prohibits any act of verbal, nonverbal, or physical aggression, intimidation, or hostility, including any such act based on sex, gender, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature, including, but not limited to:

1. Disciplining a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity

2. Disclosing student records that reveal a student's gender identity to individuals who do not have a legitimate need for the information, except as permitted by law

3. Verbally or physically assaulting a student because of the student's sex, gender, gender identity, or gender expression, including, but not limited to, causing, attempting to cause, threatening to cause, or participating in an act of hate violence on the basis of sex, gender, gender identity, or gender expression

Board Adopted: September 7, 2016
Date Revised: August 2, 2017, November 7, 2018, May 27, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5145.6**

## PARENT/GUARDIAN NOTIFICATIONS

The Governing Board desires to promote effective communication from the district and/or school to families to keep families informed regarding educational programs, district and school operations, and the legal rights of students and parents/guardians. The Superintendent or designee shall send parents/guardians all notifications required by law and any other notifications the Superintendent or designee believes will promote familial understanding and involvement.

Notice of the rights and responsibilities of parents/guardians as specified in Education Code 48980 shall be sent at the beginning of each academic year and may be provided by regular mail, in electronic form, or by any other method normally used by the district for written communication with parents/guardians. (EC 48981)

No activity specified in Education Code 48980 shall be undertaken with respect to any particular student unless the student's parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. (EC 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is not required. Any signature is an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (EC 48982)

Whenever a student enrolls in a district school during the school year, the student's parents/guardians shall be given all required parental notifications at that time.

Notifications shall be presented in an understandable and uniform format.

When necessary, the district shall provide notifications to qualified individuals with disabilities in alternative formats, such as braille, large font, or audio recordings, to enable such individuals to effectively participate in any program, service, or activity, as required by law.

Whenever 15 percent or more of the students enrolled in a district school speak a single primary language other than English, as determined from the California Department of Education census data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (EC 48981, 48985)

Whenever an employee learns that a student's parent/guardian is unable to understand the district's printed notifications for any reason, the employee shall inform the principal or designee, who shall work with the parent/guardian to establish other appropriate means of communication.

**STUDENTS** **BP 5145.6**

**PARENT/GUARDIAN NOTIFICATIONS (continued)**

Date Adopted: March 10, 2004

Date Revised: August 3, 2016, May 23, 2018, September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT**

**STUDENTS** **E 5145.6**

## PARENTAL NOTIFICATIONS

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

I. Annually

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 222.5
Board Policy/Administrative Regulation #: See BP 5146
Subject: Rights and options for pregnant and parenting students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 234.7
Board Policy/Administrative Regulation #: See BP 0410
Subject: Right to a free public year 234.7 education regardless of immigration status or religious beliefs

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 310
Board Policy/Administrative Regulation #: See BP 6142.2, See AR 6174
Subject: Information on the district's language acquisition program

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 17611.5, 17612, 48980.3
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Use of pesticide product, active ingredients, Internet address to access information, and, if district uses certain pesticides, integrated pest management plan

When to Notify: Annually by February 1
Education or Other Legal Code: Education Code 35256, 35258
Board Policy/Administrative Regulation #: See BP 0510
Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 35291, 48980
Board Policy/Administrative Regulation #: See AR 5144, See AR 5144.1
Subject: District and site discipline rules

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 44050
Board Policy/Administrative Regulation #: See BP 4119.21, See BP 4219.21, See BP 4319.21
Subject: Code of conduct addressing employee interactions with students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 46010.1
Board Policy/Administrative Regulation #: See AR 5113
Subject: Absence for confidential medical services

When to Notify: Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school
Education or Other Legal Code: Education Code 48929, 48980
Board Policy/Administrative Regulation #: See BP 5116.2
Subject: District policy authorizing transfer

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: Schedule of minimum days and student-free staff development days

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 231.5; 5 CCR 4917
Board Policy/Administrative Regulation #: See AR 5145.7
Subject: Copy of sexual harassment policy as related to students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 32255-32255.6
Board Policy/Administrative Regulation #: See AR 5145.8
Subject: Right to refrain from harmful or destructive use of animals

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361
Board Policy/Administrative Regulation #: See BP 5111.1, See AR 5116.1, See AR 5117
Subject: All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process

When to Notify: Beginning of each school year, if Board allows such absence
Education or Other Legal Code: Education Code 48980, 46014
Board Policy/Administrative Regulation #: See AR 5113
Subject: Absence for religious exercise or purposes

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 48205
Board Policy/Administrative Regulation #: See AR 5113, See BP 6154
Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 48206.3, 48207, 48208
Board Policy/Administrative Regulation #: See AR 6183
Subject: Availability of home/hospital instruction for students with temporary disabilities

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49403
Board Policy/Administrative Regulation #: See BP 5141.31
Subject: School immunization program

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49423, 49480
Board Policy/Administrative Regulation #: See AR 5141.21
Subject: Administration of prescribed medication

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49451; 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Right to refuse consent to physical examination

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49471, 49472
Board Policy/Administrative Regulation #: See BP 5143
Subject: Availability of insurance

When to Notify: Annually
Education or Other Legal Code: 49013; 5 CCR 4622
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Uniform complaint procedures, available appeals, civil law remedies

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3
Subject: Challenge, review and expunging of records

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7
Board Policy/Administrative Regulation #: See AR 5125
Subject: Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Release of directory information

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49458
Board Policy/Administrative Regulation #: See None
Subject: How to access mental health services at school and/or in community

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5
Board Policy/Administrative Regulation #: See AR 3553
Subject: Eligibility and application process for free and reduced price meals

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 51513, 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5022, See BP 6162.8
Subject: Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 56301
Board Policy/Administrative Regulation #: See BP 6164.4
Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 58501, 48980
Board Policy/Administrative Regulation #: See AR 6181
Subject: Alternative schools

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: Beginning of each school year
Education or Other Legal Code: Health and Safety Code 104855
Board Policy/Administrative Regulation #: See AR 5141.6
Subject: Availability of dental fluoride treatment; opportunity to accept or deny treatment

When/Whom to Notify: Annually
Education or Other Legal Code: 5 CCR 852; Education Code 60615
Board Policy/Administrative Regulation #: See AR 6162.51
Subject: Student's participation in state assessments; option to request exemption from testing

When to Notify: Beginning of each school year, if district receives Title I funds
Education or Other Legal Code: 20 USC 6312; 34 CFR 200.48
Board Policy/Administrative Regulation #: See BP 4112.2, See AR 4222
Subject: Right to request information re: professional qualifications of child's teacher and paraprofessional

When to Notify: Beginning of each school year
Education or Other Legal Code: 34 CFR 104.8, 106.9
Board Policy/Administrative Regulation #: See BP 0410, See BP 6178
Subject: Nondiscrimination

When to Notify: Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals
Education or Other Legal Code: 40 CFR 763.84, 40 CFR 763.93
Board Policy/Administrative Regulation #: See AR 3514
Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

When to Notify: Beginning of each school year
Education or Other Legal Code: USDA SP-23-2017
Board Policy/Administrative Regulation #: See AR 3551
Subject: District policy on meal payments

II. At Specific Times During the Student's Academic Career

When to Notify: Beginning in grade 7, at least once prior to course selection and career counseling
Education or Other Legal Code: Education Code 221.5; 48980
Board Policy/Administrative Regulation #: See BP 6164.2
Subject: Course selection and career counseling

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: Upon a student's enrollment
Education or Other Legal Code: Education Code 310
Board Policy/Administrative Regulation #: See BP 6142.2, See AR 6174
Subject: Information on the district's language acquisition programs

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program
Education or Other Legal Code: Education Code 32390, 48980
Board Policy/Administrative Regulation #: See AR 5142.1
Subject: Fingerprinting program

When/Whom to Notify: When participating in driver training courses under the jurisdiction of the district
Education or Other Legal Code: Education Code 35211
Board Policy/Administrative Regulation #: None
Subject: Civil liability, insurance coverage

When to Notify: Upon registration in K-6, if students have not previously been transported
Education or Other Legal Code: Education Code 39831.5
Board Policy/Administrative Regulation #: See AR 3543
Subject: School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

When to Notify: Beginning of each school year for high school students, if high school is open campus
Education or Other Legal Code: Education Code 44808.5, 48980
Board Policy/Administrative Regulation #: See BP 5112.5
Subject: Open campus

When to Notify: Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement
Education or Other Legal Code: Education Code 48980, 51225.3
Board Policy/Administrative Regulation #: See AR 6146.1
Subject: How each school graduation requirement does or does not satisfy college entrance a-g course criteria; districts CTE courses that satisfy a-g course criteria

When to Notify: Upon a student's enrollment
Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3
Subject: Specified rights related to student records

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: When students enter grade 7
Education or Other Legal Code: Education Code 49452.7
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Specified information on type 2 diabetes

When to Notify: When in kindergarten, or first grade if not previously enrolled in public school
Education or Other Legal Code: Education Code 49452.8
Board Policy/Administrative Regulation #: See AR 5141.32
Subject: Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights

When to Notify: Beginning of each school year for students in grades 9-12
Education or Other Legal Code: Education Code 51229, 48980
Board Policy/Administrative Regulation #: See AR 6143
Subject: College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors

When to Notify: Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year
Education or Other Legal Code: Education Code 51938, 48980
Board Policy/Administrative Regulation #: See AR 6142.1
Subject: Sexual health and HIV prevention education; right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse

When to Notify: Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year
Education or Other Legal Code: Education Code 60641; 5 CCR 863
Board Policy/Administrative Regulation #: See AR 6162.51
Subject: Results of tests; test purpose, individual score and intended use

When/Whom to Notify: By October 15 for students in grade 12
Education or Other Legal Code: Education Code 69432.9
Board Policy/Administrative Regulation #: See AR 5121, See AR 5125
Subject: Forwarding of student's grade point average to Cal Grant program; timeline to opt out

When to Notify: When child is enrolled or reenrolled in a licensed child care center or preschool
Education or Other Legal Code: Health and Safety Code 1596.7996
Board Policy/Administrative Regulation #: See AR 5148
Subject: Information on risks and effects of lead exposure, blood lead testing

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: When child is enrolled in kindergarten
Education or Other Legal Code: Health and Safety Code 124100, 124105
Board Policy/Administrative Regulation #: See AR 5141.32
Subject: Health screening examination

When to Notify: To students in grades 11-12, early enough to enable registration for fall test
Education or Other Legal Code: 5 CCR 11523
Board Policy/Administrative Regulation #: See AR 6146.2
Subject: Notice of proficiency examination provided under Education Code 48412

When to Notify: To secondary students, if district receives Title I funds
Education or Other Legal Code: 20 USC 7908
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Request that district not release name, address, phone number of child to military recruiters without prior written consent

III. When Special Circumstances Occur

When to Notify: In the event of a breach of security of district records, security of district records,
Education or Other Legal Code: Civil Code 1798.29
Board Policy/Administrative Regulation #: See BP 3580
Subject: Types of records affected, date of breach, description of incident, contact information for credit reporting agencies

When to Notify: Upon receipt of a complaint alleging discrimination
Education or Other Legal Code: Education Code 262.3
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Civil law remedies available to complainants

When to Notify: When determining whether an English learner should be reclassified as fluent English proficient
Education or Other Legal Code: Education Code 313; 5 CCR 11303
Board Policy/Administrative Regulation #: See AR 6174
Subject: Description of reclassification process, opportunity for parent/guardian to participate

When to Notify: When Student is identified as English learner and district receives Titles I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year
Education or Other Legal Code: Education Code 313.2, 440; 20 USC 6312
Board Policy/Administrative Regulation #: See AR 6174

**PARENTAL NOTIFICATIONS (continued)**

Subject: Reason for classification, level of English proficiency, identification as long-term English learner, description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program

When to Notify: When homeless or foster youth applies for enrollment in before/after school program
Education or Other Legal Code: Education Code 8483
Board Policy/Administrative Regulation #: See AR 5178.2
Subject: Right to priority enrollment how to request priority enrollment

When to Notify: Before high school student attends specialized secondary program on a university campus
Education or Other Legal Code: Education Code 17288
Board Policy/Administrative Regulation #: None
Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: At least 72 hours before use of pesticide product not included in annual list
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Intended use of pesticide product

When to Notify: To members of athletic teams
Education or Other Legal Code: Education Code 32221.5
Board Policy/Administrative Regulation #: See AR 5143
Subject: Offer of insurance; no-cost and low-cost program options

When to Notify: Annually to parents/guardians of student athletes before participation in competition
Education or Other Legal Code: Education Code 33479.3
Board Policy/Administrative Regulation #: See AR 6145.2
Subject: Information on sudden cardiac arrest

When to Notify: If school has lost its WASC accreditation status
Education or Other Legal Code: Education Code 35178.4
Board Policy/Administrative Regulation #: See BP 6190
Subject: Loss of status, potential consequences

**PARENTAL NOTIFICATIONS (continued)**

When/Whom to Notify: When district has contracted for electronic products or services that disseminate advertising
Education or Other Legal Code: Education Code 35182.5
Board Policy/Administrative Regulation #: BP 3312
Subject: Advertising will be used in the classroom or learning center

When to Notify: At least six months before implementing a schoolwide uniform policy
Education or Other Legal Code: Education Code 35183
Board Policy/Administrative Regulation #: See AR 5132
Subject: Dress code policy requiring schoolwide uniform

When to Notify: Before implementing a year-round schedule
Education or Other Legal Code: Education Code 37616
Board Policy/Administrative Regulation #: See BP 6117
Subject: Public hearing on year-round schedule

When to Notify: When interdistrict transfer is requested and not approved or denied within 30 days
Education or Other Legal Code: Education Code 46601
Board Policy/Administrative Regulation #: See AR 5117
Subject: Appeal process

When to Notify: Before early entry to kindergarten, if offered
Education or Other Legal Code: Education Code 48000
Board Policy/Administrative Regulation #: See AR 5111
Subject: Effects, advantages and disadvantages of early entry

When to Notify: When student identified as being at risk of retention
Education or Other Legal Code: Education Code 48070.5
Board Policy/Administrative Regulation #: See AR 5123
Subject: Student at risk of retention

When to Notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health
Education or Other Legal Code: Education Code 48213
Board Policy/Administrative Regulation #: See AR 5112.2, See BP 5141.33
Subject: Student has been excluded from school

When to Notify: Before already admitted student is excluded for lack of immunization
Education or Other Legal Code: Education Code 48216; 17 CCR 6040
Board Policy/Administrative Regulation #: See AR 5141.31
Subject: Need to submit evidence of immunization or exemption within 10 school days; referral to medical care

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: When a student is classified as truant
Education or Other Legal Code: Education Code 48260.5, 48262
Board Policy/Administrative Regulation #: See AR 5113.1
Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

When to Notify: When a truant is referred to a SARB or probation department
Education or Other Legal Code: Education Code 48263
Board Policy/Administrative Regulation #: See AR 5113.1
Subject: Name and address of SARB or probation department and reason for referral

When/Whom to Notify: When student requests to voluntarily transfer to continuation school
Education or Other Legal Code: Education Code 48432.3
Board Policy/Administrative Regulation #: See AR 6184
Subject: Copy of district policy and regulation on continuation education

When to Notify: Prior to involuntary transfer to continuation school
Education or Other Legal Code: Education Code 48432.5
Board Policy/Administrative Regulation #: See AR 6184
Subject: Right to require meeting prior to involuntary transfer to continuation school

When/Whom to Notify: To person holding educational rights, prior to recommending placement of foster youth outside school of origin
Education or Other Legal Code: Education Code 48853.5
Board Policy/Administrative Regulation #: See AR 6173.1
Subject: Basis for the placement recommendation

When to Notify: When student is removed from class and teacher requires parental attendance at school
Education or Other Legal Code: Education Code 48900.1
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Parental attendance required; timeline for attendance

When to Notify: Prior to withholding grades, diplomas, or transcripts
Education or Other Legal Code: Education Code 48904
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Damaged school property

When to Notify: When withholding grades, diplomas or transcripts from transferring student
Education or Other Legal Code: Education Code 48904.3
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Next school will continue withholding grades, diplomas or transcripts

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: When student is released to peace officer
Education or Other Legal Code: Education Code 48906
Board Policy/Administrative Regulation #: See BP 5145.11
Subject: Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse

When to Notify: At time of suspension
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See BP 5144.1, See AR 5144.1
Subject: Notice of suspension

When to Notify: When original period of suspension is extended
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Extension of suspension

When to Notify: At the time a student is assigned to a supervised suspension classroom
Education or Other Legal Code: Education Code 48911.1
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: The student's assignment to a supervised suspension classroom

When to Notify: Before holding a closed session re: suspension
Education or Other Legal Code: Education Code 48912
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Intent to hold a closed session re: suspension

When to Notify: When student expelled from another district for certain acts seeks admission
Education or Other Legal Code: Education Code 48915.1, 48918
Board Policy/Administrative Regulation #: See BP 5119
Subject: Hearing re: possible danger presented by expelled student

When to Notify: When readmission is denied
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Reasons for denial; determination of assigned program

When to Notify: When expulsion occurs
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Readmission procedures

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: At least 10 calendar days before expulsion hearing
Education or Other Legal Code: Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Notice of expulsion hearing

When to Notify: When expulsion or suspension of expulsion occurs
Education or Other Legal Code: Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status

When to Notify: Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school
Education or Other Legal Code: Education Code 48929, 48980
Board Policy/Administrative Regulation #: See BP 5116.2
Subject: Right to request a meeting with principal or designee

When to Notify: One month before the scheduled minimum day
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: When minimum days are scheduled after the beginning of the school year

When to Notify: When parents/guardians request guidelines for filing complaint of child abuse at a school site
Education or Other Legal Code: Education Code 48987
Board Policy/Administrative Regulation #: See AR 5141.4
Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course
Education or Other Legal Code: Education Code 49067
Board Policy/Administrative Regulation #: See AR 5121
Subject: Student in danger of failing a course

When to Notify: When student transfers from another district or private school
Education or Other Legal Code: Education Code 49068
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to receive copy of student's record and to challenge its content

**PARENTAL NOTIFICATIONS (continued)**

When/Whom to Notify: When parent/guardian's challenge of student record is denied and parent/guardian appeals
Education or Other Legal Code: Education Code 49070
Board Policy/Administrative Regulation #: See AR 5125.3
Subject: If board sustains allegations, the correction of destruction of record; if denied, right to submit written objection

When/Whom to Notify: When district is considering program to gather safety-related information from students' social media activity
Education or Other Legal Code: Education Code 49073.6
Board Policy/Administrative Regulation #: See BP 5125
Subject: Opportunity for input on proposed program

When/Whom to Notify: When district adopts program to gather information from students' social media activity, and annually thereafter
Education or Other Legal Code: Education Code 49073.6
Board Policy/Administrative Regulation #: AR 5125
Subject: Information is being gathered, access to records, process for removal or corrections, destruction of records

When to Notify: Within 24 hours of release of information to a judge or probation officer
Education or Other Legal Code: Education Code 49076
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena
Education or Other Legal Code: Education Code 49077
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of information pursuant to court order or subpoena

When to Notify: When screening results in suspicion that student has scoliosis
Education or Other Legal Code: Education Code 49452.5
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Scoliosis screening

When to Notify: When test results in discovery of visual or hearing defects
Education or Other Legal Code: Education Code 49456; 17 CCR 2951
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Vision or hearing test results

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: Within 10 days of negative balance in meal account
Education or Other Legal Code: Education Code 49557.5
Board Policy/Administrative Regulation #: See AR 3551
Subject: Negative balance in meal account; encouragement to apply for free or reduced price meals

When to Notify: Annually to parents/guardians of student athletes before their first practice or competition
Education or Other Legal Code: Education Code 49475
Board Policy/Administrative Regulation #: See AR 6145.2
Subject: Information on concussions and head injuries

When/Whom to Notify: Within 30 days of foster youth, homeless youth, former juvenile court school student, child of military family, or migrant student being transferred after second year of high school, or immigrant student enrolled in newcomer program in grades 11-12
Education or Other Legal Code: Educational Code 51225.1
Board Policy/Administrative Regulation #: See BP 6146.1, See AR 6173, See AR 6173.1, AR 6173.3, See AR 6175
Subject: Exemption from local graduation requirements, effect on college admission, option for fifth year of high school

When to Notify: Before any test/survey questioning personal beliefs
Education or Other Legal Code: Education Code 51513
Board Policy/Administrative Regulation #: See AR 5022
Subject: Permission for test, survey questioning personal beliefs

When to Notify: At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 6142.1
Subject: Instruction in HIV prevention or sexual health by guest speaker or outside consultant

When to Notify: Prior to administering survey regarding health risks and behaviors to students in 7-12
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 5022
Subject: Notice that the survey will be administered

When to Notify: Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency
Education or Other Legal Code: Education Code 52164.1, 52164.3; 5 CCR 11511.5
Board Policy/Administrative Regulation #: See AR 6174
Subject: Results of state test of English proficiency

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: When migrant education program is established
Education or Other Legal Code: Education Code 54444.2
Board Policy/Administrative Regulation #: See BP 6175, See AR 6175
Subject: Parent advisory council membership composition

When to Notify: When child participates in licensed child care and development program
Education or Other Legal Code: Health and Safety Code 1596.857
Board Policy/Administrative Regulation #: See AR 5148
Subject: Parent/guardian right to enter facility

When/Whom to Notify: When district receives Tobacco-Use Prevention Education Funds
Education or Other Legal Code: Health and Safety Code 104420
Board Policy/Administrative Regulation #: See AR 3513.3
Subject: The district's tobacco-free schools policy and enforcement procedures

When to Notify: When testing by community water system finds presence of lead exceeding specified level
Education or Other Legal Code: Health and Safety Code 116277
Board Policy/Administrative Regulation #: See AR 3514
Subject: Elevated lead level at school

When to Notify: When sharing student immunization information with an immunization system
Education or Other Legal Code: Health and Safety Code 120440
Board Policy/Administrative Regulation #: See AR 5125
Subject: Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share

When/Whom to Notify: At least 14 days prior to sex offender coming on campus as volunteer
Education or Other Legal Code: Penal Code 626.81
Board Policy/Administrative Regulation #: See AR 1240, See BP 1250
Subject: Dates and times permission granted; obtaining information from law enforcement

When to Notify: When hearing is requested by person asked to leave school premises
Education or Other Legal Code: Penal Code 627.5
Board Policy/Administrative Regulation #: See AR 3515.2
Subject: Notice of hearing

When/Whom to Notify: When responding to complaint re: discrimination, special education, or noncompliance with law
Education or Other Legal Code: 5 CCR 4631
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Findings, disposition of complaint, any corrective actions, appeal rights and procedures

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: When child participates in licensed child care and development program
Education or Other Legal Code: 5 CCR 18066
Board Policy/Administrative Regulation #: See AR 5148
Subject: Policies re: excused and unexcused absences

When to Notify: Within 30 days of application for subsidized child care or preschool services
Education or Other Legal Code: 5 CCR 18094, 18118
Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3
Subject: Policies re: Approval or denial of services

When to Notify: Upon recertification or update of application for child care or preschool services
Education or Other Legal Code: 5 CCR 18095, 18119
Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3
Subject: Policies re: Any change in service, such as in fees, amount of service, termination of service

When to Notify: Upon child's enrollment in child care program
Education or Other Legal Code: 5 CCR 18114
Board Policy/Administrative Regulation #: See AR 5148
Subject: Policies re: Policy on fee collection

When to Notify: When payment of child care fees is seven days late
Education or Other Legal Code: 5 CCR 18114
Board Policy/Administrative Regulation #: See AR 5148
Subject: Policies re: Notice of delinquent fees

When to Notify: When district substantively changes policy on student privacy rights
Education or Other Legal Code: 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5022
Subject: Notice of any substantive change in policy or regulation

When to Notify: For districts receiving Title I funds, when a child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught
Education or Other Legal Code: 20 USC 6312
Board Policy/Administrative Regulation #: See AR 4112.24
Subject: Timely notice to parent/guardian of child's assignment

When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners
Education or Other Legal Code: 20 USC 6312
Board Policy/Administrative Regulation #: See AR 6174

**PARENTAL NOTIFICATIONS (continued)**

Subject: Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program

When to Notify: For schools receiving Title I funds, upon development of parent involvement policy
Education or Other Legal Code: 20 USC 6318
Board Policy/Administrative Regulation #: See AR 6020
Subject: Notice of policy

When to Notify: When household is selected for verification of eligibility for free or reduced-price meals
Education or Other Legal Code: 42 USC 1758; 7 CFR 245.6a
Board Policy/Administrative Regulation #: See AR 3553
Subject: Need to submit verification information; any subsequent change in benefits; appeals

When/Whom to Notify: When student is homeless or unaccompanied minor
Education or Other Legal Code: 42 USC 11432; Education Code 48852.5
Board Policy/Administrative Regulation #: See AR 6173
Subject: Educational and related opportunities; transportation services; placement decision and right to appeal

When to Notify: When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30
Education or Other Legal Code: 34 CFR 99.34
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to review records

When to Notify: When district receives federal funding assistance for nutrition program
Education or Other Legal Code: USDA FNS Instruction 113-1
Board Policy/Administrative Regulation #: See BP 3555
Subject: Rights and responsibilities, nondiscrimination policy, complaint procedures

IV. Special Education Notices

When to Notify: Prior to conducting initial evaluation
Education or Other Legal Code: Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415 (d); 34 CFR 300.502, 300.503
Board Policy/Administrative Regulation #: See BP 6159.1, See AR 6159.1, See AR 6164.4
Subject: Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

**PARENTAL NOTIFICATIONS (continued)**

When/Whom to Notify: Before functional behavioral assessment begins
Education or Other Legal Code: Education Code 56321
Board Policy/Administrative Regulation #: See AR 6159
Subject: Notification and consent

When to Notify: 24 hours before IEP when district intending to record
Education or Other Legal Code: Education Code 56341.1
Board Policy/Administrative Regulation #: See AR 6159
Subject: Intention to audio-record IEP meeting

When to Notify: Early enough to ensure opportunity for parent to attend IEP meeting
Education or Other Legal Code: Education Code 56341.5; 34 CFR 300.322
Board Policy/Administrative Regulation #: See AR 6159
Subject: Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if appropriate

When to Notify: When parent/guardian orally requests review of IEP
Education or Other Legal Code: Education Code 56343.5
Board Policy/Administrative Regulation #: See AR 6159
Subject: Need for written request

When to Notify: Within one school day of emergency intervention or serious property damage
Education or Other Legal Code: Education Code 56521.1
Board Policy/Administrative Regulation #: See AR 6159.4
Subject: Emergency intervention

When to Notify: Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services
Education or Other Legal Code: 20 USC 1415(c); 34 CFR 300.300, 300.503
Board Policy/Administrative Regulation #: See AR 6159, See AR 6159.1
Subject: Prior written notice

When/Whom to Notify: Upon filing of state complaint
Education or Other Legal Code: 20 USC 1415(d), 34 CFR 300.504
Board Policy/Administrative Regulation #: See AR 6159.1
Subject: Procedural safeguards notice

When/Whom to Notify: When disciplinary measures are taken or change in placement
Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.530
Board Policy/Administrative Regulation #: See AR 5144.2
Subject: Decision and procedural safeguards notice

**PARENTAL NOTIFICATIONS (continued)**

When to Notify: Upon requesting a due process hearing
Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.508
Board Policy/Administrative Regulation #: See AR 6159.1
Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504
Education or Other Legal Code: 34 CFR 104.32, 104.36
Board Policy/Administrative Regulation #: See AR 6164.6
Subject: District responsibilities, district actions, procedural safeguards

V. Classroom Notices

When to Notify: In each classroom in each school
Education or Other Legal Code: Education Code 8235.5, 35186
Board Policy/Administrative Regulation #: See AR/E 1312.4
Subject: Complaints subject to Williams uniform complaint procedures

(3/17 3/18) 3/19

Date Adopted: March 10, 2004
Date Revised: August 3, 2016, May 23, 2018, May 29, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5145.7**

## SEXUAL HARASSMENT--STUDENTS

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer.
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Complaints regarding sexual harassment shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.
(cf. 1312.3 - Uniform Complaint Procedures)

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence

2. A clear message that students do not have to endure sexual harassment under any circumstance

3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained

**SEXUAL HARASSMENT--STUDENTS (continued)**

4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved

5. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

6. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable

Disciplinary Actions

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Any staff member found to have engaged in sexual harassment or sexual violence toward any student shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements.
(cf. 4117.4 - Dismissal)
(cf. 4117.7 - Employment Status Report)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.
(cf. 3580 - District Records)

## SEXUAL HARASSMENT--STUDENTS (continued)

*Legal Reference:*
*EDUCATION CODE*
*200-262.4 Prohibition of discrimination on the basis of sex*
*48900 Grounds for suspension or expulsion*
*48900.2 Additional grounds for suspension or expulsion; sexual harassment*
*48904 Liability of parent/guardian for willful student misconduct*
*48980 Notice at beginning of term*
*CIVIL CODE*
*51.9 Liability for sexual harassment; business, service and professional relationships*
*1714.1 Liability of parents/guardians for willful misconduct of minor*
*GOVERNMENT CODE*
*12950.1 Sexual harassment training*
*CODE OF REGULATIONS, TITLE 5*
*4600-4687 Uniform complaint procedures*
*4900-4965 Nondiscrimination in elementary and secondary education programs*
*UNITED STATES CODE, TITLE 20*
*1221 Application of laws*
*1232g Family Educational Rights and Privacy Act*
*1681-1688 Title IX, discrimination*
*UNITED STATES CODE, TITLE 42*
*1983 Civil action for deprivation of rights*
*2000d-2000d-7 Title VI, Civil Rights Act of 1964*
*2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended*
*CODE OF FEDERAL REGULATIONS, TITLE 34*
*99.1-99.67 Family Educational Rights and Privacy*
*106.1-106.71 Nondiscrimination on the basis of sex in education programs*
*COURT DECISIONS*
*Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567*
*Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130*
*Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736*
*Davis v. Monroe County Board of Education, (1999) 526 U.S. 629*
*Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274*
*Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473*
*Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447*

*Management Resources:*
*CSBA PUBLICATIONS*
*Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014*
*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*
*U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS*
*Questions and Answers on Title IX and Sexual Violence, April 2014*
*Dear Colleague Letter: Sexual Violence, April 4, 2011*
*Sexual Harassment: It's Not Academic, September 2008*
*Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001*
*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*

(3/09 3/12) 10/14

Board Adopted: February 7, 2007
Date Revised: September 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMININSTRATIVE REGULATION**

**STUDENTS** **AR 5145.7**

## SEXUAL HARASSMENT—STUDENTS

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Superintendent, 1155 Mistletoe Lane, Redding, CA 96002
Phone: 530-224-4100 Email: info@eesd.net
(cf. 1312.3 - Uniform Complaint Procedures)

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex, in the educational setting, under any of the following conditions: (EC 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress

2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student

3. The conduct has the purpose or effect of having a negative impact on the student's academic performance, or of creating an intimidating, hostile, or offensive educational environment

4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations or propositions

2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions

3. Graphic verbal comments about an individual's body or overly personal conversation

**SEXUAL HARASSMENT—STUDENTS (continued)**

4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature

5. Spreading sexual rumors

6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class

7. Massaging, grabbing, fondling, stroking, or brushing the body

8. Touching an individual's body or clothes in a sexual way

9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex

10. Displaying sexually suggestive objects

11. Sexual assault, sexual battery, or sexual coercion

Reporting Process and Complaint Investigation and Resolution

Any student who believes that he/she has been subjected to sexual harassment or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the report to the principal or the district's compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or a district compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted the Superintendent or designee.
(cf. 5141.4 - Child Abuse Prevention and Reporting)

When a report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the district's uniform complaint procedures.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint.

**SEXUAL HARASSMENT—STUDENTS (continued)**

The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and district procedures specified in AR 1312.3.

Confidentiality

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

However, when a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests that the district not pursue an investigation, the district will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. Such measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (EC 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

**SEXUAL HARASSMENT—STUDENTS (continued)**

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted. (EC 231.5)

A copy of the district's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media.
(cf. 1113 - District and School Web Sites)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session. (EC 231.5)

4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct. (EC 231.5)

(3/09 3/12) 10/14

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**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**STUDENTS** **AR 5145.71**

## TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity

3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 1312.3 - Uniform Complaint Procedures.

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 5145.7 - Sexual Harassment.
(cf. 5145.7 - Sexual Harassment)

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party.

## TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)

Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

Emergency Removal from School

On an emergency basis, the district may remove a student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint that did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

## TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process

3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

Formal Complaint Process

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process

2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process

4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence

5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

During the investigation process, the district shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence

**TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)**

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence

3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney

4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties

5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate

6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

9. After sending the investigative report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining

**TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)**

agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process

3. Findings of fact supporting the determination

4. Conclusions regarding the application of the district's code of conduct to the facts

5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant

6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in

**TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)**

the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties

2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator

3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome

4. Issue a written decision describing the result of the appeal and the rationale for the result

5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any

grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

1. Transfer from a class or school as permitted by law

2. Parent/guardian conference

3. Education of the student regarding the impact of the conduct on others

4. Positive behavior support

5. Referral of the student to a student success team
   (cf. 6164.5 - Student Success Teams)

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law
   (cf. 6145 - Extracurricular and Cocurricular Activities)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.
(cf. 4117.7/4317.7 - Employment Status Report)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)
(cf. 3580 - District Records)

## TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (CONTINUED)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex
48900 Grounds for suspension or expulsion
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48985 Notices, report, statements and records in primary language
CIVIL CODE
51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor
GOVERNMENT CODE
12950.1 Sexual harassment training
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1092 Definition of sexual assault
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 34
12291 Definition of dating violence, domestic violence, and stalking
UNITED STATES CODE, TITLE 42
1983 Civil action for deprivation of rights
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
106.1-106.82 Nondiscrimination on the basis of sex in education programs
COURT DECISIONS
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Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

anagement Resources:
CSBA PUBLICATIONS
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Q&A on Campus Sexual Misconduct, September 2017
Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
Dear Colleague Letter: Title IX Coordinators, April 2015
Sexual Harassment: It's Not Academic, September 2008
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
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

7/20

Date Adopted: November 4, 2020

**STUDENTS** **BP 5146**

## MARRIED/PREGNANT/PARENTING STUDENTS

The Governing Board recognizes that responsibilities related to marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 6011 - Academic Standards)
(cf. 6164.5 - Student Success Teams)

The district shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. In addition, the district shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. (EC 221.51, 230; 5 CCR 4950; 34 CFR 106.40) (cf. 0410 - Nondiscrimination in District Programs and Activities)

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available to them under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, 48980)
(cf. 5145.6 - Parental Notifications)

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

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child.
(cf. 6158 - Independent Study)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6184 - Continuation Education)
(cf. 6200 - Adult Education)

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

## MARRIED/PREGNANT/PARENTING STUDENTS (CONTINUED)

If required for students with any other temporary disabling condition, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the regular education program or activity. (EC 221.51; 5 CCR 4950; 34 CFR 106.40)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6183 - Home and Hospital Instruction)

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

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities
   (cf. 5148 - Child Care and Development)

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28
   (cf. 3550 - Food Service/Child Nutrition Program)
   (cf. 5030 - Student Wellness)

4. Health care services, including prenatal care
   (cf. 5141.6 - School Health Services)

5. Tobacco, alcohol, and/or drug prevention and intervention services
   (cf. 5131.6 - Alcohol and Other Drugs)
   (cf. 5131.62 - Tobacco)

6. Academic and personal counseling
   (cf. 6164.2 - Guidance/Counseling Services)

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation
   (cf. 6179 - Supplemental Instruction)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

**STUDENTS** **BP 5146**

**MARRIED/PREGNANT/PARENTING STUDENTS (CONTINUED)**

Absences

Pregnant or parenting students may be excused for absences for medical appointments and other purposes specified in BP/AR 5113 - Absences and Excuses.

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (EC 48205)
(cf. 5113 - Absences and Excuses)

Parental Leave

A pregnant or parenting student shall be entitled to eight weeks of parental leave in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The Superintendent or designee may grant parental leave beyond eight weeks if deemed medically necessary by the student's physician. (EC 46015; 34 CFR 106.40)

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

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. A pregnant or parenting student shall not be required to complete academic work or other school requirements during the period of the parental leave. (EC 46015)
(cf. 5113.11 - Attendance Supervision)

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

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (EC 46015)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

**MARRIED/PREGNANT/PARENTING STUDENTS (CONTINUED)**

Accommodations

When necessary, the district shall provide accommodations to enable a pregnant or parenting student to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR 106.40)

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

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child

2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk

3. Access to a power source for a breast pump or any other equipment used to express breast milk

4. Access to a place to store expressed breast milk safely

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

Complaints

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

**STUDENTS** **BP 5146**

## MARRIED/PREGNANT/PARENTING STUDENTS (CONTINUED)

### Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on student participation in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.
(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:
EDUCATION CODE
221.51 Nondiscrimination; married, pregnant, and parenting students
222 Reasonable accommodations; lactating students
222.5 Pregnant and parenting students, notification of rights
230 Sex discrimination
8200-8498 Child Care and Development Services Act
46015 Parental leave
48205 Excused absences
48206.3 Temporary disability, definition
48220 Compulsory education requirement
48410 Persons exempted from continuation classes
48980 Parental notifications
49553 Nutrition supplements for pregnant/lactating students
51220.5 Parenting skills and education
51745 Independent study
52610.5 Enrollment of pregnant and parenting students in adult education
CIVIL CODE
51 Unruh Civil Rights Act
FAMILY CODE
7002 Description of emancipated minor
HEALTH AND SAFETY CODE
104460 Tobacco prevention services for pregnant and parenting students
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
4950 Nondiscrimination, marital and parental status
CODE OF REGULATIONS, TITLE 22
101151-101239.2 General licensing requirements for child care centers
101351-101439.1 Infant care centers
UNITED STATES CODE, TITLE 20
1681-1688 Title IX, Education Act Amendments
UNITED STATES CODE, TITLE 42
1786 Special supplemental nutrition program for women, infants, and children
CODE OF FEDERAL REGULATIONS, TITLE 7
246.1-246.28 Special supplemental nutrition program for women, infants, and children
CODE OF FEDERAL REGULATIONS, TITLE 34
106.40 Marital or parental status
ATTORNEY GENERAL OPINIONS
87 Ops.Cal.Atty.Gen. 168 (2004)
COURT DECISIONS
American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:
CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS
Pregnant Students and Confidential Medical Services, 2013
Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements, 2012
The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013
WEB SITES
California Department of Education: http://www.cde.ca.gov
California Women's Law Center: http://www.cwlc.org
U.S. Department of Agriculture, Women, Infants, and Children Program: http://www.fns.usda.gov/wic
U.S. Department of Education: http://www.ed.gov

(12/13 3/16) 12/18

Date Adopted: February 3, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5148.2**

## BEFORE/AFTER SCHOOL PROGRAMS

The Governing Board desires to provide before-school and/or after-school enrichment programs that support the regular education program in a supervised environment. In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, local control and accountability plan, curriculum, and academic standards.
(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 5147 - Dropout Prevention)
(cf. 5148 - Child Care and Development)
(cf. 6011 - Academic Standards)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

The district's program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (EC 8422, 8482.5)

To the extent feasible, the district shall give priority to establishing before-school and/or after-school programs in low-performing schools and/or programs that serve low-income and other at-risk students.
(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 6020 - Parent Involvement)

Any program to be established shall be approved by the Board and the principal of each participating school. (EC 8421, 8482.3)

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's before-school and/or after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities.
(cf. 1240 - Volunteer Assistance)
(cf. 4131 - Staff Development)
(cf. 4222 - Teacher Aides/Paraprofessionals)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

**BEFORE/AFTER SCHOOL PROGRAMS (continued)**

Each program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, each program may include support services that reinforce the educational component and promote student health and well-being.
(cf. 0450 - Comprehensive Safety Plan)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 6142.7 - Physical Education and Activity)

A family fee may be charged to participating families based on the actual cost of services, as long as the fee is waived or reduced for families with students who are eligible for free or reduced-price meals. (EC 8422, 8482.6)

In regard to the After School Education and Safety program and/or 21st Century Community Learning Center program, no fee shall be charged for a student identified as a homeless or foster youth. (EC 8482.6)
(cf. 3260 - Fees and Charges)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.
(cf. 0500 - Accountability)

Every three years, the Superintendent or designee shall review the after-school program plan, including, but not limited to, program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years.
(cf. 3580 - District Records)

## BEFORE/AFTER SCHOOL PROGRAMS (continued)

Legal Reference:
*EC*
*8263 Eligibility and priorities for subsidized child development services*
*8263.4 Enrollment of students ages 11-12 years*
*8273.1 Family fees, exemptions*
*8350-8359.1 Programs for CalWORKS recipients*
*8360-8370 Personnel qualifications*
*8420-8428 21st Century After-School Program for Teens*
*8482-8484.65 After School Education and Safety Program*
*8484.7-8484.9 21st Century Community Learning Centers*
*8490-8490.7 Distinguished After School Health Recognition Program*
*17264 New construction; accommodation of before- and after-school programs*
*35021.3 After-school physical recreation instructors*
*45125 Criminal record check*
*45330 Paraprofessionals; instructional aides*
*45340-45349 Paraprofessionals; instructional aides*
*49024 Criminal background check; Activity Supervisor Clearance Certificate*
*49430-49434 Nutrition standards*
*49540-49546 Child Care Food Program*
*49553 Free or reduced-price meals*
*60851.1 Suspension of high school exit examination*
*69430-69460 Cal Grant program*
*UNITED STATES CODE, TITLE 20*
*6311 State plans*
*6314 Title I schoolwide programs*
*7171-7176 21st Century Community Learning Centers*
*UNITED STATES CODE, TITLE 42*
*1766-1766a Child and Adult Care Food Program*
*11434a Education for homeless children and youths*
*CODE OF FEDERAL REGULATIONS, TITLE 7*
*226.17 Child care center nutrition standards*

*Management Resources:*
*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*
*Quality Program Improvement Plan for Expanded Learning Programs in California 2016-17, November 2016*
*Request for Application for Programs Proposing to Serve High School Students, September 2016*
*21st Century Community Learning Centers (21st CCLC) FAQs Elementary/Middle School Programs, September 2016*
*A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014*
*Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014*
*21st Century High School After School Safety and Enrichment for Teens Program Frequently Asked Questions, March 2012*
*California After School Physical Activity Guidelines, 2009*
*U.S. DEPARTMENT OF EDUCATION PUBLICATIONS*
*21st Century Community Learning Centers, Nonregulatory Guidance, February 2003*
*WEB SITES*
*CSBA: http://www.csba.org*
*California Department of Education, Before and After School: http://www.cde.ca.gov/ls/ba*
*California Healthy Kids Survey: https://chks.wested.org*
*California School-Age Consortium: http://calsac.org*
*Commission on Teacher Credentialing: http://www.ctc.ca.gov*
*Partnership for Children and Youth: http://partnerforchildren.org*
*U.S. Department of Agriculture: http://www.fns.usda.gov/cnd/care/afterschool.htm*
*U.S. Department of Education: http://www.ed.gov*

(11/06 7/15) 3/17

Date Adopted: June 11, 2008
Date Revised: June 7, 2017

**STUDENTS** **AR 5148.2**

## BEFORE/AFTER SCHOOL PROGRAMS

Grades K-9
The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program shall serve students in any of grades K-9 as the district may determine based on local needs. (EC 8482.3, 8484.7, 8484.75, 8484.8)

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs or serve a high percentage of students from low-income families. (EC 8484.8; 20 USC 7173)
(cf. 6171 - Title I Programs)

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1. Program Elements
   a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (EC 8482.3)

   b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (EC 8482.3)

2. Nutrition
   a. If snacks or meals are made available in the program, they shall conform to state nutrition standards specified in EC 49430-49434 or 42 USC 1766 as applicable. (EC 8482.3; 42 USC 1766-1766a; 7 CFR 226.17)

   b. The district's before-school program shall offer a breakfast meal as described in EC 49553 for all program participants. (EC 8483.1)

3. Location of Program

   a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (EC 8482.3)

   b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10- percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (EC 8482.8)

      (1) Fewer than 20 students participating in the program component

**BEFORE/AFTER SCHOOL PROGRAMS (continued)**

(2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation

(3) A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before- school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (EC 8482.8)

4. Staffing

a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (EC 8483.4, 45330, 45344, 45344.5)

b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (EC 8483.4)

c. The student-to-staff ratio shall be no more than 20 to 1. (EC 8483.4)

2. Hours of Operation

a. A before-school program shall not operate for less than one and one-half hours per regular school day. (EC 8483.1)

b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (EC 8483)

3. Admissions

a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (EC 8482.6)

b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

(1) First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year and to students who are identified by the program as being in foster care. (EC 8483, 8483.1)

**BEFORE/AFTER SCHOOL PROGRAMS (continued)**

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (EC 8483, 8483.1)

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (EC 8483)

(2) Second priority for enrollment shall be given to children entering Kindergarten. Equal priority for enrollment shall be given to their siblings.

(3) Third priority for enrollment of middle or junior high school students shall be given to students who attend daily. (EC 8483, 8483.1)

(4) Fourth priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulations.

(5) Any remaining capacity shall be filled by students selected in the order the applications were received. If the number of applicants exceeds the capacity at a given site, then the District reserves the option to hold a lottery after following the above procedures for priority enrollment.

(6) A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

It is the intent of the state legislature that students participate in the full hours of our after school program, a minimum of three hours each day and a minimum of three days each week, except when released early in accordance with the Early Release Policy established by each local program. It is our intention to release students from one safe and enriching environment into another.

The ACE Program allows for the "excused" early release of students from the program under the following circumstances:

a) school-sponsored sporting event
b) medical appointment/child accident or injury
c) music or other enrichment lessons
d) special school events
e) family emergency
f) parent or guardian pick-up enroute to/from work/school
g) walkers and bike riders (for safety purposes)

The ACE program will make exceptions to the attendance requirement on a case-by-case basis.

**STUDENTS** **AR 5148.2**

**BEFORE/AFTER SCHOOL PROGRAMS (continued)**

8. Summer/Intersession/Vacation Programs

a. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with EC 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (EC 8483, 8483.1, 8483.2, 8483.76)

b. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (EC 8483.76)

c. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to EC 8484.6. (EC 8483.76)

d. Any program operating for six hours per day shall provide at least one nutritionally adequate

e. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (EC 8483.76)

Grades 9-12

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program shall serve students in any of grades 9-12 as the district may determine based on local needs. (EC 8421)

The program shall be operated in accordance with the following guidelines:

1. Program Elements

a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (EC 8421)

(1) Preparation for the high school exit examination

(2) Tutoring

(3) Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content

(4) Homework assistance

(5) College preparation, including information about the Cal Grant program pursuant to EC 69430-69460

b. The program shall include an enrichment element that may include, but is not limited to: (EC 8421)

(1) Community service

(2) Career and technical education

(3) Job readiness

(4) Opportunities for mentoring and tutoring younger students

(5) Service learning

(6) Arts

(7) Computer and technology training

(8) Physical fitness

(9) Recreation activities

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

c. The program shall include a nutritional snack and/or meal and a physical activity element. (EC 8423)

d. The program shall provide for access to, and availability of, computers and technology. (EC 8423)

e. The Superintendent or designee shall assess students' preferences for program activities. (EC 8423)

2. Location of Program

a. The district's program may operate on one or multiple school sites or at another location approved by the CDE. (EC 8421)

b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (EC 8421)

3. Hours of Operation

a. The district's program shall operate for a minimum of 15 hours per week. (EC 8421)

b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (EC 8422)

**STUDENTS** **AR 5148.2**

**BEFORE/AFTER SCHOOL PROGRAMS (continued)**

Volunteers

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (EC 35021.3)

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to EC 45125. He/she also shall submit current contact information to the district and shall update that information whenever the information changes. (EC 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (EC 35021.3)

Reports

The Superintendent or designee shall annually submit to the CDE outcome-based data, including, but not limited to: (EC 8427, 8482.3, 8484)

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis

2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards
(cf. 0500 - Accountability)

(3/08 7/15) 3/17

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Date Revised: April 1, 2015, June 7, 2017, August 7, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**STUDENTS** **BP 5148.3**

# PRESCHOOL/EARLY CHILDHOOD EDUCATION

The Governing Board recognizes the value of high-quality preschool experiences to enhance children's social-emotional development and acquisition of instructional knowledge, skills, and abilities. The Board desires to provide a supervised and cognitively rich learning environment designed to facilitate the transition to kindergarten for two-, three-, and four-year-old children.

The Superintendent or designee shall collaborate with the local child care and development planning council, the county office of education, other public agencies, organizations, and/or private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a comprehensive districtwide and/or countywide plan to increase children's access to high-quality preschool programs.

The Superintendent or designee shall provide information about preschool options in the community to parents/guardians upon request.

## District Preschool Programs

When the Board determines that it is feasible, the district may contract with the California Department of Education (CDE) to provide preschool services in facilities at or near district schools, either directly or through a subcontract with a public or private provider.

District preschool programs shall comply with all health and safety laws and regulations, including, when applicable, licensure requirements pursuant to 22 CCR 101156.

The Board shall approve, for the district's preschool program, a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 17701-17711 and the accompanying administrative regulation. (5 CCR 17701)

The Board shall set priorities for establishing or expanding services as resources become available, giving consideration to the benefits of providing early education programs for at-risk children and/or children residing in the attendance areas of the lowest performing district schools.

Preschool classroom needs shall be addressed in the district's facilities master plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options for preschool classrooms and/or facilities available through partnering organizations or agencies.

Because parents/guardians are essential partners in supporting the development of their children,

**PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)**

the Superintendent or designee shall involve them in program planning.

The Superintendent or designee shall coordinate the district's preschool program, transitional kindergarten program (TK), and elementary education program to provide a developmental continuum that builds upon children's growing skills and knowledge

The Superintendent or designee shall recommend strategies to link the district's preschool program with other available child care and development programs in the district or community in order to assist families whose child care needs extend beyond the length of time that the district's preschool program is offered.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of preschool children and their families as specified in Board Policy 6170.1 - Transitional Kindergarten. (EC 8281.5)

A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or child care program. (EC 8205, 48000)

The district's program shall be aligned with preschool learning foundations and curriculum frameworks developed by CDE which identify the knowledge, skills, and competencies that children typically attain as they complete their first or second year of preschool. The program shall be designed to facilitate children's development in essential skills in the areas of language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

The Superintendent or designee shall identify dual language learners in district preschool programs, and shall collect and report related data to CDE as required by Education Code 8241.5. The district's preschool program shall include activities and services that meet the needs of dual language learners for support in the development of their home language and English. (EC 8203)

The district's preschool program shall serve children with exceptional needs as required by Education Code 8208. Children with exceptional needs attending any CSPP shall be educated in the least restrictive environment in accordance with 20 USC 1412.

The district's preschool program shall provide appropriate services to support the needs of at-risk children.

To maximize the ability of children to succeed in the preschool program, the program shall support children's health through proper nutrition and physical activity and shall provide or make referrals to

available health and social services as needed.

The district shall encourage volunteerism by families participating in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.

### Staffing

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate permit(s) issued by the Commission on Teacher Credentialing, meet any additional qualifications established by the Board, and participate in professional development opportunities designed to continually enhance their knowledge and skills.

### Eligibility, Enrollment, and Disenrollment

Preschool admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and a health examination requirement. (5 CCR 17743; 22 CCR 101218.1)

The Superintendent or designee shall ensure that subsidized preschool is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code 8208, 8210, and 8211 and 5 CCR 17746-17748.

To receive preschool services, a child and the child's parent(s)/guardian(s) shall be required to provide evidence of residency in California, which may be established by providing evidence of a California street or post office address. However, any person identified as experiencing homelessness shall only be required to submit a declaration that the person resides in California. (5 CCR 17745)

Preschool eligibility determinations shall be made without regard to a child's immigration status or that of the child's parent(s)/guardian(s) unless the child or the child's parent(s)/guardian(s) are under a final order of deportation from the U.S. Department of Homeland Security. (5 CCR 17745)

The district's program shall not expel or unenroll a child or persuade or encourage a child's parents/guardians to voluntarily unenroll from the program based on the child's behavior, unless the expulsion or unenrollment is in accordance with the procedures specified in the accompanying administrative regulation.

When necessary due to a reduction in state reimbursements, families shall be disenrolled as specified

in the accompanying administrative regulation.

**Response to Immigration Enforcement**

CSPPs shall provide families with the Attorney General's Immigration webpage during enrollment so families can access the Attorney General's model policies in, "Promoting Safe Early Childhood Education for All: Guidance and Model Policies for Early Childhood Education and Child Care Providers Pursuant to the Family Preparedness Plan Act of 2025."

The district and district staff shall act in accordance with Health and Safety Code 1597.640 and Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement with respect to:

1. Soliciting or collecting information or documents regarding the citizenship or immigration status of a child or the child's family members

2. Nondiscrimination on the basis of immigration status

3. Responding to the presence of immigration enforcement activity on district property, including requests for access to children or access to district-provided transportation, nonpublic areas of district property or facilities, or nonpublic area in which a district-sponsored activity is occurring

   The district's legal counsel or other district official designated by the Superintendent is encouraged to submit a timely report regarding the officer or employee's requests to the California Attorney General and CDE.

4. Responding to a request for information regarding a child or a child's family or household from immigration authorities

   If the district's CSPP responds to a request for information regarding the child, the district shall make a copy of the documents requested and shall document the name of the person/agency to whom the documents were provided. The CSPP shall keep a record of the documents produced and place the copy in the child's file.

5. Responding in the event a child's parent/guardian is detained or deported

6. Permitting families to update children's emergency contact information as needed throughout the year

Families may provide as many alternative contacts as they wish if no parent/guardian is available.

7. Accessing, reviewing, or obtaining employee records by immigration authorities, except as to I-9 Employment Eligibility Verification forms and other documents for which a Notice of Inspection has been provided to the employer

CSPPs shall review the Attorney General's website by June 1 of each calendar year. If there are updated model policies related to protecting the rights of immigrants and CSPP families to safely access CSPP facilities, the district shall adopt the updated policies or equivalent policies by July 1 of that calendar year.

**Program Evaluation**

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR 17709-17711)

The Superintendent or designee may report to the Board regarding enrollment in district preschool programs and the effectiveness of the programs in preparing preschoolers for transition into the elementary education program.

**Complaints**

The district's uniform complaint procedures, with modifications as necessary, shall be used to investigate and resolve complaints alleging violation of applicable health or safety requirements for license-exempt programs operating under the CSPP. However, licensed programs shall refer complaints alleging health and safety violations to the California Department of Social Services. (EC 8212; 5 CCR 4610, 4611, 4690-4694, 17781)

Date Adopted: September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6010**

## SCHOOL IMPROVEMENT PROGRAM

It is the intention of the Enterprise Board of Education to participate in a program of improvement of elementary and secondary education as set forth in Education Code Section #52000-52058.

Since students benefit when parents and staff work together to achieve the purposes of the school, the Board of Education encourages the establishment of a School Site Advisory Council at each school. The following areas are to be given major consideration by the School Site Councils in their work to develop an improvement program for students:

1. Individualized Instruction – The Enterprise School District has a long-standing tradition of emphasizing a program which meets the individual's needs. This philosophy is hereby made a part of the direction given to the School Site Councils and is to be used as a guide to their deliberations and decisions.

   *Board Policy #0100:*
   *"The philosophy of the Enterprise School District shall be to encourage each child in the district to progress to the full extent of his ability in the academic, creative, and social realms. Recognizing that the laws governing the conduct of individuals in our society are designed to protect the rights and freedoms of the society are designed to protect the rights and freedoms of the society as well as the individual, each child should be encouraged to respect the rights and privileges of others and to participate in as many group academic, creative, and social tasks as possible. To help achieve this, all activity should give attention to the need for balance and harmony between the common needs of the group and individual freedom."*

2. Goals of Education – The district's goals and objectives were developed as a result of the combined efforts of teachers, parents, administrators, and the Board of Education. The goals emphasize the intellectual development of the student as the primary responsibility of the school. These goals are also made a part of this policy to serve as a guide to the School Site Councils in their deliberations and decisions.

   *Board Policy #0200*
   1. *A positive attitude towards school and the learning process.*
   2. *Mastery of the basic skills in the use of words and numbers.*
   3. *Creativity in one or more fields.*
   4. *Habits and attitudes associated with responsible citizenship.*
   5. *Good health habits and the understanding of the conditions necessary for the maintenance of physical and emotional well-being.*
   6. *Understanding himself/herself and the application of his/her worthiness as a member of society.*
   7. *Understanding and appreciation of human achievement in the (1) arts; (2) humanities; (3) social sciences; and (4) the natural sciences.*
   8. *Understanding and appreciation of persons belonging to social, cultural, and ethnic groups different from his/her own.*
   9. *Understanding and appreciation of the opportunities open to him/her for preparing himself/herself for a productive life which will enable him/her to take full advantage of these opportunities.*
   10. *Preparation for a world of rapid changes and unforeseeable demands in which education throughout his adult life should be a normal expectation.*

**INSTRUCTION** **BP 6010**

**SCHOOL IMPROVEMENT PROGRAM (continued)**

3. Emphasis Upon Excellence – Helping students achieve excellence is a compatible goal which must be recognized. Excellence is an attitude, a purpose, a direction, and is broad in scope. It may be achieved in academic pursuits, but an honest respect for human differences will lead to recognition of excellence in the fine arts, athletics, values, and social responsibilities.

4. Communication – Effective communication is essential to the successful operation of the school district. Open channels of communication shall be maintained between the School Site Councils, the district administration, the district committees dealing with the program, and the Board of Education.

5. District Wide Consistency and Continuity – All students need to make continuous progress in learning those skills and in acquiring knowledge which will enable them to continue their education into adult life. Ideally, each student will have the opportunity to complete each stage of learning and move on to the next without delay. The skills in the basic academic areas shall be built on a series of steps which lead from the elementary to the intermediate school, and on to reasonable mastery at high school. The program at all three levels is part of a sequence in the student's mastery of skills, rather than three separate programs. In order to facilitate such consistency and continuity throughout this district, the curriculum selected by the School Site Council needs to be consistent at all levels and with district proficiency standards.

6. Community Participation – Each school shall include provisions for the active participation of parents in the school's program. The involvement of parents helps build support for the school's program. The primary purpose of the plan shall be to improve learning with particular emphasis in the academic areas. The plan needs to increase productive learning time.

7. Proficiency Standards – Proficiency standards for all students in the Enterprise School District at all grades, except kindergarten, shall be established in accordance with the requirements of the California Education Code. The standards shall be uniformly established in the district. Alternatives shall be provided for students who are unable to meet the standards for legitimate reasons. These standards are to be carefully reviewed by the School Site Councils to evaluate their effects and influence on academic excellence.

8. Professional Teaching – The importance of the individual teacher's competencies and the interrelationship between the pupil and teacher is recognized as being at the very heart of the instructional program. Students learn best when they are with a "true teacher," and the teacher's time needs to be protected. Planning and staff improvement are important, but they must supplement rather than supplant teacher time requirements. The Enterprise Board of Education continues to recognize and reiterates that the

**SCHOOL IMPROVEMENT PROGRAM (continued)**

effectiveness of the instructional program will be directly proportional to the competencies and effectiveness of the teachers in the district, individually and collectively.

9. Other Personnel – Teacher aides, resource people, and volunteers also play an important role in the effectiveness of the overall instructional program. The Board of Education recognizes their contribution, and they must be given consideration in the development of the School Improvement Program at the local school site.

10. Evaluation – Continuous improvement depends upon thorough evaluation, and the Board of Education endorses the concept that parents should be included in the evaluation of the school's program. The school's staff shall develop a plan of evaluation which includes the participation of the School Site Council. The emphasis of all evaluations of the School Improvement Program will focus upon student achievement in the basic skills of reading, writing, and computation.

The Enterprise School District's Board of Education recognizes that the new provisions under the Education Code (AB65) provide this board with an opportunity to increase its impact on the quality of education. This policy is intended to improve the schools and to establish and identify purposes and priorities, provide necessary guidance and direction, exercise leadership required, and to work cooperatively and aggressively toward the accomplishment of the district's established philosophy and goals.

Date Adopted: February 2, 1978
Date Revised: March 2, 1978

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6010**

## SCHOOL IMPROVEMENT PROGRAM – SCHOOL SITE COUNCILS

This Administrative Regulation is intended to provide School Site Councils with guidance which will result in improved instructional programs for students.

1. Organization of School Site Councils

   School Site Councils shall be established at all Enterprise schools.

2. Membership of School Site Councils

   The initial selection of members of School Site Councils shall be made in the following manner:

   a. Parents and Other Community Members – The principal shall announce a date, time, and location of an open meeting to be held at the school for the purpose of selecting community representatives.

   b. Teacher – The principal of each school shall select a teacher to convene a meeting of all teachers at each site. Teacher membership on the School Site Council shall be determined by democratic process.

   c. Other Staff – The principal at each school shall select an employee defined as "other staff" to convene a meeting of employees defined as "other staff" at each site. "Other staff" membership on the School Site Council shall be determined by democratic process.

   d. Students – It shall be the responsibility of the elected student government at Parsons Junior High to determine the method of selecting student representatives to the School Site Council.

   e. Principal – The principal, by law, is a member of the School Site Council.

   f. Minimum Membership – At least six members must serve on a K-6 School Site Council; and at least 12 members must serve on a 7-8 School Site Council.

3. Responsibilities of the School Site Council

   a. The first order of business after adoption of the School Site Council's by-laws shall be the determination of whether the council recommends participation in the School Improvement Program. The vote will be taken in accordance with Education Code Section #52011.

**SCHOOL IMPROVEMENT PROGRAM – SCHOOL SITE COUNCILS (continued)**

b. At the appropriate time, as determined by the phase-in schedule, the School Site Council shall apply for a Planning Grant or request to be excluded from the School Improvement Program in accordance with Education Code Section #52021.

c. After receipt of the Planning Grant, the School Site Council shall develop a three-year School Improvement Plan based upon the assessed needs of the school's community and in accordance with Board Policy #6010. All factors in this policy shall be given consideration. In addition, the School Improvement Plan shall include:

(1) Curricula, instructional strategies, and instructional materials which will ensure:

(a) An education program to ensure continuous progress of each student.
(b) A program that stresses mastery of the basic skills of reading, writing, and computational skills.
(c) A program which provides for the development of skills in other curriculum areas.
(d) A program which allows students to pursue other interests and to develop self-esteem.

(2) A plan to provide services to met the special needs of students with diagnosed educational and physical handicaps and the special needs of limited and non-English speaking students.

(3) A staff development program designed to meet the needs of teachers, aides, other staff, and parent and community volunteers.

(4) A program to improve the school environment.

(5) Other objectives as might be established by the School Site Council.

(6) A budget plan for operation of the School Improvement Program.

(7) A plan for the ongoing evaluation and modification of the program to include: (to be effected by all members of the Council)

(a) The degree to which the school is meeting the objectives of the plan.
(b) Measurement of student achievement.
(c) Identification of improvement of the school environment.
(d) Assurance that the budget reflects the criteria of the School Improvement Plan.

**SCHOOL IMPROVEMENT PROGRAM – SCHOOL SITE COUNCILS (continued)**

(8) In addition, Elementary School Improvement Plans shall include components for:

(a) Involvement of parents in the educational program.
(b) A periodic evaluation of the health needs of students.
(c) A plan for parent education, stressing child growth and development.

(9) In addition, Secondary School Improvement Plans shall include components for:

(a) The availability of students to timely advice on learning options available, career opportunities, and school related problems.

Date Adopted: February 2, 1978

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6020**

## PARENT INVOLVEMENT

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment.

The Superintendent or designee shall work with parents/guardians and family members to jointly develop and implement this policy, and the programs established by this policy, and to propose revisions to this policy, as needed. Additionally, the Superintendent or designee shall meaningfully involve parents/guardians and family members in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home. (EC 11500-11504, 51101; 20 USC 6318)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available for them to do so, in accordance with Board Policy/Administrative Regulation 5020 - Parents Rights and Responsibilities.

The district's local control and accountability plan (LCAP) shall include goals and strategies for parent/guardian involvement and family engagement, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (EC 42238.02, 52060)

The Superintendent or designee shall establish a parent advisory committee (PAC), and, as applicable, an English learner parent advisory committee (ELPAC) to review and comment on the LCAP, in accordance Board Policy 0460 - Local Control and Accountability Plan, including the use of federal funds and how funds will be allocated for parent/guardian involvement activities as well as activities related to increasing student achievement.

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of parent/guardian involvement opportunities and on barriers that may inhibit participation.

### Title I Schools

The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding; developing strategies that describe how the district will carry out each activity listed in 20 USC 6318; and implementing and evaluating such programs, activities, and procedures. The Superintendent or designee shall implement these obligations in accordance with the accompanying administrative regulation. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (EC 11503; 20 USC 6318)

**PARENT INVOLVEMENT (continued)**

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities and distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined in 20 USC 6631. The Superintendent or designee shall involve parents/guardians and family members of participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement activities. (20 USC 6318)

Expenditures of such funds shall be consistent with the activities specified in this Board policy and shall include at least one of the following: (20 USC 6318)

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members

2. Support for programs that reach parents/guardians and family members at home, in the community, and at school

3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members

4. Collaboration, or the provision of subgrants to schools to enable collaboration, with community-based or other organizations or employers with a record of success in improving and increasing parent/guardian and family engagement

5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

To coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV. (20 USC 6318)

The district's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the district's LCAP in accordance with 20 USC 6312. (20 USC 6318)

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

District and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform

format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

As required by law, the Superintendent or designee shall annually attend a regular meeting of the PAC or ELPAC, if applicable, to receive input and feedback on topics that support student achievement and programs that reach parents/guardians and family members at home, in the community, and at school. (20 USC 6318)

**Non-Title I Schools**

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (EC 11504)

Date Adopted: September 5, 1991
Date Revised: November 1, 2006, December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6020**

## PARENT INVOLVEMENT

### District Strategies for Title I Schools

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the district shall:

1. Involve parents/guardians and family members in the joint development of a district plan that meets the requirements of 20 USC 6312 and in the development of school support and improvement plans pursuant to 20 USC 6311 (20 USC 6318)

   The Superintendent or designee may:

   a. Invite input on the plan from other district committees and school site councils

   b. Communicate with parents/guardians through the district newsletter, website, or other methods regarding the plan and the opportunity to provide input

   c. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand

   d. Ensure that there is an opportunity at a public Governing Board meeting for public comment on the plan prior to the Board's approval of the plan or revisions to the plan

   e. Ensure that school-level policies on parent/guardian and family engagement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans

2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education (20 USC 6318)

   The Superintendent or designee may:

   a. Assign district personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues

**PARENT INVOLVEMENT (continued)**

b. Identify funding and other resources, including community resources and services, that may be used to strengthen district and school parent/guardian and family engagement programs

c. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist in facilitating the planning and implementation of related activities

d. With the assistance of parents/guardians, provide information and training to teachers and other staff regarding effective parent/guardian involvement practices and legal requirements

e. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws (20 USC 6318)

   The Superintendent or designee may:

   a. Identify overlapping or similar program requirements

   b. Involve district and school site representatives from other programs to assist in identifying specific population needs

   c. Schedule joint meetings with representatives from related programs and share data and information across programs

   d. Develop a cohesive, coordinated plan focused on student needs and shared goals

4. Conduct, with meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I, including identification of: (20 USC 6318)

   a. Barriers to greater participation in parent/guardian and family engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background

**PARENT INVOLVEMENT (continued)**

b. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers

c. Strategies to support successful school and family interactions

The Superintendent or designee may:

a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications

b. Gather and monitor data regarding the number of parents/guardians and family members participating in district activities and the types of activities in which they are engaged

c. Recommend to the Board measures to evaluate the impact of the district's parent/guardian and family engagement efforts on student achievement

The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request. (EC 11503)

5. Use the findings of the evaluation conducted pursuant to Item #4 above to design evidence-based strategies for more effective parent/guardian and family involvement and, if necessary, to revise the parent/guardian and family engagement policy (20 USC 6318)

The Superintendent or designee may:

a. Analyze data from the evaluation to identify parent/guardian and family engagement activities that have been successful and those activities that have had lower participation or less meaningful involvement by parents/guardians

b. Analyze parent/guardian and family participation to determine the level of participation by traditionally underrepresented groups

c. With the involvement of parents/guardians, recommend and draft proposed policy revisions to submit to the Board for consideration

5. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents/guardians or family members served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy (20 USC 6318)

**PARENT INVOLVEMENT (continued)**

The Superintendent or designee may:

a. Include information about school activities in district communications to parents/guardians and family members

b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians and family members

c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

Additionally, the district shall promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement by implementing the actions specified in Item #7 of "School-Level Policies for Title I Schools," below. (20 USC 6318)

**School-Level Policies for Title I Schools**

At each school receiving Title I funds, a written policy on parent/guardian and family engagement shall be developed jointly with the parents/guardians and family members of participating students. The school policy shall describe the means by which the school will: (20 USC 6318)

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved

2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian involvement

3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314

   The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

**PARENT INVOLVEMENT (continued)**

4. Provide the parents/guardians of participating students all of the following:

    a. Timely information about Title I programs

    b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the state academic standards

    c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education. The district shall respond to any such suggestions as soon as practicably possible.

5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district

6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

    This compact shall address:

    a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's challenging academic achievement standards

    b. Ways in which parents/guardians will be responsible for supporting their children's learning, volunteering in the classroom, and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time

    c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:

        i. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement

        ii. Frequent reports to parents/guardians on their children's progress

        iii. Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities

**PARENT INVOLVEMENT (continued)**

iv. Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand

7. Promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement through the following actions:

   a. Assist parents/guardians, as appropriate, in understanding such topics as the state academic standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children

   b. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help them work with their children to improve their children's achievement

   c. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools

   d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education

   e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand

   f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request

   In addition, the school plan may include strategies to:

**PARENT INVOLVEMENT (continued)**

a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training

b. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training

c. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions

d. Train parents/guardians to enhance the involvement of other parents/guardians

e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation

f. Adopt and implement model approaches to improving parent/guardian involvement

g. Establish a parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs

h. Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities

i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families

j. Provide a master calendar of district/school activities and meetings

k. Provide information about opportunities for parent/guardian and family engagement through the district newsletter, website, or other written or electronic means

l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed

**PARENT INVOLVEMENT (continued)**

n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions

o. Provide ongoing workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies, and seek their input in developing the workshops

p. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement

q. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

2. To the extent practicable, provide opportunities for the informed participation of parents/guardians and family members (including parents/guardians and family members with limited English proficiency, parents/guardians and family members with disabilities, and parents/guardians and family members of migrant children), including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. (20 USC 6318)

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/guardian and family engagement policy. Such evaluation may be conducted during the process of reviewing the school plan for student achievement in accordance with Education Code 64001.

The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school. (20 USC 6318)

**District Strategies for Non-Title I Schools**

For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians and family members positively in their children's education by providing assistance and training on topics such as state academic standards and assessments to increase their knowledge and skills to use at home to support their children's academic efforts at school and their children's development as responsible members of society (EC 11502, 11504)

   The district may utilize department leaders and district instructional coaches to provide parent/guardian training on topics that include, English language development, state academic

standards and assessments, and specific strategies to support the student in the home.

The Superintendent or designee may:

a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education

b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter

c. Provide parents/guardians with information about students' class assignments and homework assignments

2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (EC 11502, 11504)

The Superintendent or designee may:

a. Provide parents/guardians with information regarding ways to create an effective study environment for their children at home and to encourage good study habits

b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing

c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees

3. Build consistent and effective two-way communication between the home and school so that parents/guardians and family members may know when and how to assist their children in support of classroom learning activities (EC 11502, 11504)

The Superintendent or designee may:

a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students

**PARENT INVOLVEMENT (continued)**

b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom

c. Provide information about parent/guardian and family engagement opportunities through district, school, and/or class newsletters, the district's website, and other written or electronic communications

d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand

e. Develop mechanisms to encourage parent/guardian input on district and school issues

f. Identify barriers to parent/guardian and family participation in school activities, including parents/guardians and family members who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background

g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care

4. Train teachers, administrators, specialized instructional support personnel, and other staff to communicate effectively with parents/guardians as equal partners (EC 11502, 11504)

   The Superintendent or designee may:

   a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy

   b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications

   c. Utilize professional development sessions to train teachers, administrators, and staff on ways to effectively engage parents/guardians, with each school site sharing best practices that others may learn from

5. Integrate and coordinate parent/guardian and family engagement activities within the LCAP with other activities

   The Superintendent or designee may:

**PARENT INVOLVEMENT (continued)**

a. Include parent/guardian and family engagement strategies in school reform or school improvement initiatives

b. Involve parents/guardians and family members in school planning processes

Date Adopted: September 5, 1991
Date Revised: November 1, 2006, December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6030**

## COMPETITIVE SPORTS K-6

The Enterprise Board of Education recognizes that competitive sports activities through school sponsorship may enhance the learning experiences available to young people. Opportunities to participate in competitive sports activities in a wholesome environment will help students in the learning process and will provide physical fitness opportunities which otherwise may not be available.

The Enterprise School District sanctions opportunities in the competitive sports area at the K-6 level. Such opportunities and activities are to be provided for both boys and girls.

The District Superintendent is charged with the responsibility of providing guidelines through the development of Administrative Regulations and is further charged with the responsibility of approving specific competitive sports activities which are to be sanctioned by the school district.

Date Adopted: January 3, 1980

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6030**

## COMPETITIVE SPORTS K-6

Competitive sports activities may be provided in the Enterprise Elementary School District according to Board Policy #6030.

The purpose of providing competitive sports activities through school sponsorship is to enhance the learning experiences available to young people. Opportunities must be provided in a wholesome environment which will have direct learning opportunities for young people.

These competitive sports activities do not take the place of the regular on-going physical educational program which is to be conducted for all students at all grade levels at all the district's schools.

It is understood that not all will agree on how the competitive sports program can best be conducted. These Administrative Regulations are established in order to exercise control over activities which the district sponsors and to assure that a uniform and consistent approach will protect students, employees, participants, administrators, and the school district.

The following Administrative Regulations will apply in a uniform manner throughout the district at all K-6 schools for boys, girls, and co-educational activities:

1, A decentralized philosophy will apply, and participation in a competitive sports program will be determined at the school level on a strictly voluntary basis. Under the direction of the school principal, a determination will be made as to whether or not a school will participate in the competitive sports program, and to what degree such participation will take place.

2. Any competitive sports activities conducted under the auspices of the Enterprise Elementary School District will be considered to be school-sponsored and must be formally approved by the administration and/or the Board of Education.

3. All competitive sports programs must adhere to the district's Policies and Administrative Regulations and the directions from the district's officials.

4. Staff participation in the program will be voluntary.

5. Student participation in the program will be voluntary.

6. The competitive sports program does not take the place of, nor should it interfere with the instructional physical education program.

7. Transportation for students will be done in accordance with established district Policy and Administrative Regulations.

**COMPETITIVE SPORTS K-6 (continued)**

8. All activities in the competitive sports area are to be designed to enhance the learning process and the educational opportunities for students.

9. Good sportsmanship will be required of all participants, at all times, without exception.

10. Expressions of enthusiasm by parents, coaches, and participants are recognized as a necessary part of athletic competition, but are to be kept in perspective in order to be a positive learning experience for students.

The following determinations will be made at the local level, under the direction of the school principal:

1. The degree of competitiveness and assignment of students to various teams.

2. Provisions which allow opportunities for the largest numbers of students to participate, with individual coaches to make the final determinations on which students are to play on which teams.

3. Rules pertaining to student conduct, deportment, application, and participation in practice sessions and games are established at each school level. Students are encouraged to excel within their own individual capacities.

4. Activities will usually be designed for sixth grade students, but students from other grades may be allowed to participate at the discretion of the local school.

5. Rules for games will be determined by the "home school" and are to be shared with the opposing adult officials prior to the event.

6. A schedule of athletic events may be coordinated between schools, and game schedules are to be posted in advance at the discretion of the local school.

7. No formal league standings or win/loss records will be maintained except in tournament play.

8. Transportation arrangements and requirements are to be in accordance with District Policy and Administrative Regulations, with schedules and advance approval to be determined at the local school level.

9. The manner in which parental permission is to be obtained and verified will be determined at the local level.

**INSTRUCTION** **AR 6030**

**COMPETITIVE SPORTS K-6 (continued)**

10. Communication between the school and home on a general or individual student basis is to be determined at the local school level.

11. The manner in which teams or individuals are identified (such as uniforms) is to be determined at the local school level.

12. Spectator and audience participation (including cheerleading) is to be determined at the local school level.

Date Adopted: January 3, 1980

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6031**

## ATHLETIC PARTICIPATION

The Enterprise Board of Education has a responsibility to provide extra-curricular activities and sports for as many students as possible. Discretion regarding placement of students on teams above their grade level rests with each 6-8 site.

Date Approved: January 12, 1994
Date Revised: November 1, 1995

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6035**

## ELIGIBILITY FOR PARTICIPATION IN ATHLETICS AND OTHER EXTRA-CURRICULAR ACTIVITIES

The Enterprise Board of Education recognizes that extra-curricular activities enrich the educational and social development and experiences of students. The district shall encourage and support student participation in extra-curricular activities without compromising the integrity and purpose of the educational program.

In order to encourage and promote academic excellence, all students participating in extra-curricular activities shall demonstrate satisfactory minimum progress in meeting graduation requirements by maintaining at least a 2.0 G.P.A. on a 4.0 scale.

The District Superintendent is charged with the responsibility of providing guidelines through the development of Administrative Regulations and is further charged with the responsibility of approving participation in co-curricular activities which are not covered by this policy on extra-curricular activities.

The policy and accompanying Administrative Regulation are to be reviewed as needed by the Board of Education.

Date Adopted: January 8, 1987
Date Revised: September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6035**

## ELIGIBILITY FOR PARTICIPATION IN ATHLETICS AND OTHER EXTRA-CURRICULAR ACTIVITIES

It shall be the responsibility of the principals of Enterprise 6-7-8 students to make grade checks after every nine-week grade period to determine if students participating in extra-curricular activities have maintained at least a 2.0 Grade Point Average. Students who have not earned a 2.0 GPA will be removed from the extra-curricular activity, including practices, for the remainder of the nine-week grading period.

Extra-curricular activities are defined as *Music in Motion*, student government, athletics, and spirit leaders.

Participation in co-curricular activities is not affected by this regulation. Co-curricular activities are those events which are an integral part of a regularly scheduled class. For example, participation in a play is a requirement for students enrolled in drama class.

Date Adopted: January 8, 1987
Date Revised: July 14, 1988

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6040**

## EXTRA-PAY ACTIVITIES

The Enterprise Board of Education recognizes that many valuable learning experiences can occur in school-related activities that are not a direct part of the regular ongoing instructional program. It is further recognized that the need for such activities in a well defined and organized manner is greater at the 6th-8th grade level than at the K-6 level. Activities which can appropriately be school sponsored provide a wholesome environment which will help students in their learning process. Major activities include, but are not limited to, athletics, student government and activities, choral and instrumental music, yearbook, and newspaper activities. Others may also be considered in this category from time to time and it is not the intent of this policy to necessarily limit the activities to those areas listed.

The Enterprise Elementary School District sponsors such activities at the 6th-8th grade level and will attempt to provide for such activities for both boys and girls within the limits of the district's financial resources. All activities conducted under this policy are authorized by the school district and are under the direct supervision and control of school district authorities.

The District Superintendent is charged with the responsibility of providing guidelines through the development of Administrative Regulations. These Administrative Regulations are to be coordinated and approved with the Exclusive Representative in those areas where negotiations are required under the Rodda Act.

Date Adopted: January 3, 1980
Date Revised: December 4, 2002

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMNISTRATIVE REGULATION**

**INSTRUCTION** **AR 6040**

## EXTRA-PAY ACTIVITIES

Extra-pay activities may be provided in the Enterprise Elementary School District according to Board Policy 6040. Appropriate sections of the employee agreement will apply in conducting such extra-pay activities.

The purpose is to provide extra-pay activities that take place separate and apart from the ongoing instructional program. Individuals who assume responsibilities for extra-pay activities do so with the understanding that these are added responsibilities above and beyond their regular teaching assignment, and that these assignments are not to interfere with or take the place of their ongoing teaching responsibilities.

There may be disagreement about how the extra-pay activity program is to be conducted or which activities are to be included. The Board of Education will consider all input prior to making final decisions on extra-pay activity offerings.

Vacancies in the Extra-Pay Activity Program will be announced and posted at each school five (5) calendar days before the position is filled. A general announcement listing all openings for extra-pay activities will be distributed in May of each year so that the district and individuals can plan well in advance. In the event an individual is unable to honor the commitment on short notice, the position will be filled by a temporary replacement while the position is advertised on a district-wide basis, giving five (5) days notice.

Individuals who fill extra-pay activity assignments will be selected by the following procedure:

1. Certificated teachers from the Enterprise Elementary School District will be selected first. Current First-Aid and CPR certificates are required, if applicable to the extra-pay activity involved.
2. For those activities where no certificated teacher applies from the specific school site, other certificated teachers from within the bargaining unit will be selected.
3. In the event that no certificated teacher from the bargaining unit applies, other applicants will be sought, with the best qualified person being selected. All applicants are required to have current First Aid and CPR certificates, if applicable to the extra-pay activity involved.

Where more than one person from any of the above three categories applies for a given position, normal selection procedures will be followed.

Supervision of extra-pay activities will not be transferred to other teachers within the district who have not been initially assigned the responsibility of the extra-pay activity.

**INSTRUCTION** **AR 6040**

**EXTRA-PAY ACTIVITIES (continued)**

Those individuals who assume extra-pay activities will be required to sign a "letter of commitment." This letter will include the approximate starting and ending date of the activity and the maximum number of weeks required to fulfill the responsibility. The amount of pay for the activity will be listed and will correspond to the amount listed in the current employee agreement. Major responsibilities and goals included in the activity will be enumerated in the "letter of commitment." A copy of the "letter of commitment" will be made available to the Exclusive Representative.

In the event an individual assumes a portion of the total responsibility of an activity, a pro-rata payment on a "time spent basis" will be applied, or the district and Exclusive Representative will establish another mutually acceptable solution.

Date Adopted: January 3, 1980
Date Revised: December 4, 2002

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6050**

## RELIGIOUS ACTIVITIES

The Enterprise Board of Education recognizes the doctrine of separation of church and state in accordance with the First Amendment of the Constitution of the United States.

The Board of Education further recognizes that state and federal laws as well as court cases have addressed the subject of religious activities in public schools, and that the Board of Education is obligated to be in strict compliance with directions set forth regarding such matters.

The Enterprise Board of Education further recognizes that studies of a cultural nature are a necessary part of a sound, well-rounded social science program. The fact that religion is a major facet of man's culture and has vastly influenced man through the ages is recognized.

In an attempt to provide guidance to employees in the district in an area which is often contradictory and controversial, it shall be the policy of the Enterprise School District to provide instruction of a historical nature related to religion, provided that such instruction is accurate and documented from a historical and cultural point of view; and that activities' primary objectives are educational in nature.

Such instruction shall not infringe upon the rights of any student, and activities which attempt to unduly influence or indoctrinate individual students to a particular point of view are considered to be inappropriate.

Date Adopted: January 17, 1980

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6050**

## RELIGIOUS ACTIVITIES

The following considerations are to assist staff members in instruction areas for religious related activities during the school year:

1. A well rounded instructional program includes studies of man's culture. Man's religion is a major facet of his culture. As such, it is an appropriate topic for consideration in the instructional program.

2. Any instruction of a religious nature must be historical, cultural, or educational in nature.

3. The "indoctrination" or "undue influence" of any individual student toward a particular point of view is inappropriate in the school setting.

4. Careful distinction must be made between "teaching" and "teaching about." "Teaching" implies an attempt to "indoctrinate;" while "teaching about" is an objective dissemination of information. In this regard, care must e taken to see that no religious doctrine is taught, but rather that instruction deals with happenings and the historical nature of events.

5, Care must be taken so that the school does not infringe upon the rights of any student.

6. Caution should be taken to see that the individual student is not embarrassed, and that there is no violation of his individual conscience.

7. Time spent in any instructional activity must be justified educationally and be kept in appropriate proportion with other instructional activities.

8. Any program should reflect instructional value, rather than entertainment.

9. Extravagant presentations and the use of extensive stage effects and settings are inappropriate.

10. Careful advance planning should take place so that any instructional activity is carefully thought out on a total school and district basis.

11. Holiday events which have a religious basis need to be kept in appropriate perspective in both emphasis and time spent to be justified from an instructional point of view.

12. Specific religious activities with their central theme as scripture or religious ceremonies are inappropriate. This would include reciting scripture, such things as nativity scenes, crosses, etc.

**RELIGIOUS ACTIVITIES (continued)**

13. Emphasis on holiday symbols of a non-religious basis (such as Santa Claus, the Easter Bunny, etc.) shall be kept at a very minimum.

14. Much of the finest music of our culture is of a religious nature, and as music, may be appropriately used for instructional purposes, including the presentation of musical programs.

Date Adopted: January 17, 1980

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6112**

## SCHOOL DAY

The Governing Board shall fix the length of the school day in accordance with law. (EC 46100)

At each school, the length of the school day shall be the same for all students, except as otherwise permitted by law. For any student with a disability, the length of the school day shall be as specified in the student's individualized education program or Section 504 plan.

Unless there is a field trip or other educational program, the daily schedule for grades K-5 shall include at least one or more periods of recess of at least 30 minutes on regular instructional days and 15 minutes on early release days. During this time, students shall be provided supervised opportunities, outdoors when weather and air quality permit unless space is not sufficient in which case recess may be held indoors, to engage in unstructured physical activity, play, organized games, and/or social engagement with peers, and may be provided a snack. (EC 49056)

Educational Program means the entire school-sponsored offering for students, including in-class and out-of-class activities. (EC 49056)

In establishing the daily instructional schedule for each secondary school, the Superintendent or designee shall give consideration to course requirements and curricular demands, availability of school facilities and equipment, and applicable legal requirements.

The Board encourages flexibility in scheduling so as to provide longer time blocks or class periods when appropriate and desirable to support student learning, provide more intensive study of core academic subjects or extended exploration of complex topics, and reduce transition time between classes.

Prior to implementing a block or alternative schedule that will allow secondary students to attend school for fewer school days than the total number of school days for which the school is in session, the Board shall consult in good faith, in an effort to reach agreement with the certificated and classified employees of the school, parents/guardians of the students who would be affected by the change, and the community at large. Such consultation shall include at least one public hearing for which the Board shall give adequate notice to the employees and to the parents/guardians of affected students. (EC 46162)

Date Adopted: December 6, 2006
Date Revised: February 28, 2018, February 5, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6112**

## SCHOOL DAY

### Kindergarten/Transitional Kindergarten

Kindergarten and transitional kindergarten (TK) classes in district schools may be maintained for different lengths of time, either at the same or different school sites. (EC 37202)

The average school day for kindergarten and TK students shall be at least three hours, including recesses but excluding noon intermissions. If fewer than 40 students are enrolled in kindergarten classes, the district may request approval of the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each. (EC 46114, 46115, 46117, 46119)

In any school day, kindergarten and/or TK students shall not be kept in school for longer than four hours, excluding recesses, except where the school is operating an early primary program pursuant to Education Code 8970-8974 or an expanded learning opportunity program pursuant to Education Code 46120. (EC 46111, 46115, 46120)

In any district school operating an early primary program pursuant to Education Code 8970-8974, the kindergarten school day may exceed four hours, excluding recess, if both of the following conditions are met: (EC 8973)

1. The Governing Board has declared that the extended-day kindergarten program does not exceed the length of the primary school day

2. The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential, and developmentally appropriate educational program

Under an extended day kindergarten program, recess may be counted as instructional minutes for purposes of determining the maximum school day if it occurs under teacher supervision.

In any multitrack year-round school operating pursuant to Education Code 37670, the kindergarten school day may be up to 265 minutes, excluding recesses. (EC 46111)

The Superintendent or designee shall annually report to the California Department of Education as to whether the district's kindergarten and TK programs are offered full day, part day, or both. (EC 48003)

**SCHOOL DAY (continued)**

Grades 1-8

Except as otherwise provided by law, the school day for elementary and middle school students shall be:

1. At least 230 minutes for students in grades 1-3, unless the Board has prescribed a shorter school day because of lack of school facilities requiring double sessions, in which case the minimum school day shall be 200 minutes (EC 46112)

2. At least 240 minutes for students in grades 4-8 (EC 46113, 46142)

In determining the number of minutes for purposes of compliance with the minimum school day for students in grades 1-8, both noon intermissions and recesses shall be excluded. (EC 46115)

The school day for a middle school shall begin no earlier than 8:00 a.m. (EC 46148)

**Grades 9-12**

The school day for a high school shall begin no earlier than 8:30 a.m. (EC 46148)

The school day for students in grades 9-12, including students in the independent study program, shall be at least 240 minutes. (EC 46141, 46142)

However, the school day may be less than 240 minutes when authorized by law. Programs that have a minimum school day of 180 minutes include, but are not necessarily limited to:

1. Continuation high school or classes (EC 46141, 46170)

2. Opportunity school or classes (EC 46141, 46180)

3. Regional occupational center (EC 46141, 52325)

4. Work experience education program approved pursuant to Education Code 51760-51769.5 (EC 46141, 46144)

   A student in grade 12 who is enrolled in work experience education and is in the last semester or quarter before graduation may, upon written request by the student's

**SCHOOL DAY (continued)**

parent/guardian or the student, if 18 years of age or over, be permitted to attend school for less than 180 minutes per school day if all requirements for graduation would be completed, except physical education courses, in less than 180 minutes each day. (EC 46147)

5. Concurrent enrollment in a community college pursuant to Education Code 48800-48802 or, for students in grades 11-12, part-time enrollment in classes of the California State University or University of California, provided academic credit will be awarded upon satisfactory completion of enrolled courses (EC 46146)

6. An early college high school or middle college high school, provided the students are enrolled in community college or college classes in accordance with Item #5 above (EC 46141, 46146.5)

7. Special day or Saturday vocational training program conducted under a federally approved plan for career technical education (EC 46141, 46144)

For an evening high school operated pursuant to Education Code 51720-51724, the number of days, specific days of the week, and number of hours during which the program shall be in session may be determined by the Board. (EC 46141, 51721)

Students in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of courses each quarter. This requirement shall not apply to students enrolled in regional occupational centers or programs, courses at accredited postsecondary institutions, independent study, special education programs in which the student's individualized education program establishes a different number of courses, continuation education classes, work experience education programs, or any other course of study authorized by the Board that is equivalent to the approved high school course of study. (EC 46145)

**Alternative Block Schedule for Secondary Schools**

In order to establish a block or other alternative schedule or to accommodate career technical education and regional occupational center/program courses, the district may authorize students to attend fewer than the total number of days in which school is in session provided that students attend classes for at least 1,200 minutes during any five school day period or 2,400 minutes during any 10 school day period. (EC 46160)

**SCHOOL DAY (continued)**

An early college high school or middle college high school may be scheduled so that students attend classes for at least 900 minutes during any five-school day period or 1,800 minutes during any 10-school day period. (EC 46160)

Date Adopted: December 6, 2006
Date Revised: February 28, 2018, February 5, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6140**

## CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION

The Governing Board shall provide a comprehensive curricular, instructional, and assessment program that is aligned to serve the educational needs of the District's students. Curriculum development and improvement is of primary importance, and, as such, will be part of an ongoing process in this District.

The Board recognizes that effective curriculum development requires the planned allocation of the resources, staff time, and staff development.

The district subscribes to a standards-based approach to curriculum and instruction that focuses on and organizes all of the District's efforts around the State Content Standards. State standards are the goals from which all subject area curriculum development is derived. These standards shall serve as the framework for all curriculum development and instructional delivery. The goals will be multi-disciplinary in nature and will focus on the delivery of the District's mission.

Eighth Grade Graduation

The fundamental goals of the District's curriculum and instructional program shall enable the 8th grade graduating students to be:

1. Self-Directed Learners who commit to the process of learning, formulate positive core values in order to create a vision for their future, set priorities and goals, create options, take responsibility for pursuing these goals, and monitor and evaluate their progress in a rapidly changing political, social, economic and workplace environment.

2. Effective Communicators who master the basic skills of reading, writing, speaking/listening (communication), mathematical and technical skills sufficient for daily living and for effective functioning in a complex society.

3. Contributing Citizens who take the initiative to contribute their time, energies, talents, skill, and ability to improve the welfare of themselves and others, who demonstrate a sense of social responsibility on service to the community; and who participate in the democratic process and operate effectively as a responsible member of our local, national and international society.

4. Collaborative Team Members who use effective leadership and group skills to establish effective, supportive, and cooperative interpersonal relationships in culturally diverse community, work, and family settings; who value diversity and unique personal qualities, have pride in ones own culture and appreciate and understand the contributions of all cultures.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6140**

**CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION (continued)**

5. Adaptive Problem-Solvers who anticipate, assess, and make responsible decisions and choices; resolve the problems and challenges that accompany the rapidly changing political, economic, environmental, technological and social conditions of society; and who live a physically, mentally, socially, and emotionally balanced life.

6. Perceptive Thinkers who are creative and critical thinkers use multiple frames of reference to identify, assess, integrate and apply available information and resources from all appropriate sources for meaning and/or action.

7. Ethical Members of Society who demonstrate strong character and work ethic; who prepare themselves for careers; have a sense of confidence and self-worth and are self-disciplined; who exhibit honesty, integrity and choose ethical courses of action.

*Legal Reference:*

*EDUCATION CODE*
*40 Equal Opportunity Without Regard To Sex*
*35160 Authority of Governing Boards*
*35160.1 Broad Authority of School Districts*
*51050-51057 Broad Authority of School Districts*
*51200-51263 Requirement Courses of Study*
*51500-51551 Prohibited Instruction*
*52720-51879 Authorized Classes and Courses in Instruction*
*52000-52049 Improvement of Elementary and Secondary Education*
*52060-52065 American Indian Early Childhood Education Program*
*52160-52178.4 Bilingual-Bicultural Act*
*52200-52213 Mentally Gifted and Talented Pupil Program*
*54000-54041 Programs For Disadvantaged Pupils*
*54100-54145 Miller-Unruh Act of 1965*
*56000-56856 Special Education Programs*

*GOVERNMENT CODE*
*3543.2 Scope of Representation*

*CODE OF REGULATIONS*
*4000-4091 School Improvement Program*
*4300-4320 Bilingual Education Programs*
*4400-4426 Improvement of Elementary and Secondary Education*

Date Adopted: June 28, 1984
Date Revised: September 4, 2002

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6140**

## CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION

Curriculum development and Evaluation requires seven comprehensive steps necessary for implementation and student success: (1) Curriculum Development and Review, (2) The Planned and Written Curriculum, (3) Taught Curriculum, (4) Evaluated Curriculum, (5) Time Allocation by Subject, (6) Staff Development, (7) Budget, and (8) Roles and Responsibilities.

1. CURRICULUM DEVELOPMENT AND REVIEW

The need for a systematic, ongoing program of curriculum development and evaluation involving students, instructional aides, parents, teachers, board members, and administrators is essential. The design and implementation of curriculum will be consistent with the Board's stated curriculum goals and objectives. The Board deems it essential that the curriculum is developed and modified on an ongoing basis to meet the continually changing needs of students.

The Board authorizes the Superintendent to develop the curriculum and to organize committees to review the curriculum. Staff contributions to curriculum development will be provided through curriculum task forces. The curriculum needs to be developed so that it provides for an articulated set of student learning goals.

The design and implementation of the taught curriculum will be aligned with the planned and written curriculum. The taught curriculum as presented to students by the teachers and evaluated curriculum as determined by the students' assessments, must be compatible. Each of these three components of the curriculum shall be aligned to bring about a high degree of consistency, except where planned otherwise (e.g. national/state norm-referenced test).

The Superintendent shall ensure that a long-range plan is in place for District curriculum development, as well as, for student and program assessment. All pre K-8 curriculum areas are to undergo internal development cycles on a rotating basis. The purpose of such an ongoing review is to lend a concentrated focus to a given curriculum area. This procedure will provide a formal means by which all planned courses are revised and kept up to date.

When a subject area is undergoing a development/redevelopment review, a pre K-8 task force will be established composed of a representative group of teachers, administrators and support staff. The task force will be used to provide input into the development cycle. The Superintendent or designee is to establish the procedures for such task forces.

It is the expectation of the Board that staff members will move as quickly as possible toward the accomplishment of the development and redevelopment curriculum cycle as resources are made available and as needed.

All core curriculums will be subject to Board approval. All curricular proposals from certificated staff, including those outside of the regular adoption cycle may be presented to the Superintendent who will be responsible for making recommendations to the Board on such matters.

It shall be the responsibility of the Superintendent to develop proposals relating to curriculum modifications and additions that, in the opinion of the Board and staff are essential to the maintenance of a high quality program of education from pre-kindergarten through grade eight.

2. THE PLANNED AND WRITTEN CURRICULUM

Learning will be enhanced by adherence to an integrated curriculum that promotes continuity and cumulative acquisition of skills and knowledge from grade to grade and from school to school. The curriculum should reflect the best knowledge of the growth and development of learners; the content of various curriculum disciplines; the needs of learners; and alignment with State Standards. The curriculum is designed to provide teachers and students with the District's expectations of what children and young people are to learn. Teachers are to align their teaching to the State standards.

A standards-based curriculum is a set of student goals and objectives designed using a spiraling curriculum built from 8th grade standards downward.

The components of the written standards-based curriculum will include "layers" of goals and objectives in order to achieve total alignment and articulation through the level of teacher lesson delivery. The components are:

- K-8 State Standards describe the core knowledge, strategies, and skills for teachers to teach and students to acquire and be able to demonstrate in each subject area. They describe what students know or what they will be able to do. Performance standards will indicate both the nature of the evidence required to demonstrate the content Standards have been met and the quality of student performance that will be deemed acceptable.

**CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION (continued)**

- Performance Standards will indicate both the nature of the evidence required to demonstrate the content standards have been met and the quality of student performance that will be deemed acceptable.

- Essential Learnings From the K-8 Content Standards, essential learnings are derived. These objectives describe standards in specific terms of what students will be able to do at the end of a year. The essential learnings are the California State Standards that are absolutely essential for students to be successful in the current and succeeding grade levels. These essential learnings are not just covered, but are taught to mastery. The curriculum needs to be defined system-wide through this level. Benchmark essential learning standards will be established as a recognized quality of student performance deemed necessary at a particular level or course.

  Copies of the essential learnings in complete sets shall be given to all students and teachers. The public will have access through each school library media center for review and reference.

- Challenging and Appropriate Learning – Successful, "authentic" student learning must be based on providing appropriate educational experiences at the appropriate level of challenge in order to ensure maximum student achievement.

- Documented Curriculum – There is an expectation that all curriculum will be documented in writing and updated at least once every seven (7) years, that teachers will have copies of state standards, frameworks and course descriptions, where appropriate, and use them to develop daily lesson plans, and that administrators will work with teachers to maintain consistency between curriculum design (written curriculum) and curriculum delivery (what objectives are actually taught).

- Instructional resources such as textbooks, software, and other materials shall be selected based upon their alignment with the written standards-based curriculum.

3. TAUGHT CURRICULUM

   The District has several expectations about the teaching process. Teachers have a right to expect that their teaching efforts are part of a broad plan of quality education. There is to be assurance that teachers and their colleagues are working toward a common goal. All teachers have a responsibility not only to contribute to the refinements of the written curriculum, but also to teach the curriculum. The principal and other supervisors shall see that optimum use is made of available essential learnings.

## CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION (continued)

Essential learnings are to serve as a framework from which a teacher will develop units of study, individual lesson plans and approaches to instruction that will serve the students' particular needs at a particular time. The essential learnings shall be used to map the logical sequence of instruction. Teachers will adhere to the essential learnings objectives, while choosing methodologies and resources that are appropriate and effective. Teachers will teach all state standards and work toward mastery of the essential learnings.

In addition to consistent delivery of the learning objectives in the curriculum, it is expected that instructional delivery will be based on sound teaching principals grounded in education research. Instructional supervision efforts are to focus on these sound teaching principles.

A systematic process is to be in place for planning and providing instruction appropriate for each student and for engaging the student until learning objectives are attained. This systematic process is to include:

- The establishment of a school climate that continually affirms the worth and diversity of all students.
- The expectation that all students will perform at high levels of learning, with focus on state standards.
- Support and encouragement for staff as they implement state standards and state and district testing.
- Unit and lesson objectives that are derived by the school and/or teacher.
- Course/Level Objectives. Curriculum-based assessments built around benchmarks will be used to determine acquisition and mastery of the learnings. In some special program efforts, the objectives may be developed by the District.

4. EVALUATED CURRICULUM

The District staff is to design and use a variety of assessment approaches in determining the effectiveness of the planned and written curriculum as well as the taught curriculum.

Curriculum-based assessments built around benchmarks of the standards will be used to determine acquisition and mastery of the learnings.

The "evaluated" curriculum is to include the following components:

- An assessment system that documents, records and reports levels of success
- District-level assessments in all core subject areas

**CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION (continued)**

- A management system at the classroom and building levels for coordinating timely instructional planning, student assessment and placement, instructional delivery, and program evaluation.
- Assessment strategies for teachers to diagnose and determine instructional assignments of student learning.
- Clearly defined outcomes for students so that they know exactly what is expected in order to meet and to exceed standards.
- An evaluation system that allows students to demonstrate and receive credit for mastery.
- Provides parents with direct indicators of how their child is progressing toward mastery of the state standards.
- Assessment tools to help in determining student success toward District and state standards.

It is expected that teachers will conduct frequent diagnosis of students on the state standards. Teacher-made assessments, as well as, criterion referenced, will be used to determine patterns of student achievement. Teachers and supervisors are to use assessment results to assess the status of individual student achievement, to continually regroup students for instruction, to identify general achievement trends of various groups of students, and to modify curriculum and/or instruction as warranted by assessment results.

Principals may review teacher-made assessments to help teachers ensure that assessments are congruent with the written curriculum and with what is to be taught.

Board Report Approval

The superintendent shall organize a report/presentation to the Board by August of each year, which demonstrates how the policy and regulations are being implemented and to present such recommendations as may be necessary for the improvement of student growth. It shall candidly point out strengths and weaknesses and form the base for later budget development.

5. TIME ALLOCATION BY SUBJECT

The unique function of the public school is to provide instruction in the academic areas. A balanced curriculum requires that appropriate time be allocated to each of the subject areas.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6140**

## CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION (continued)

The Enterprise Board of Education adopts a recommended learning time schedule as listed below. It is recognized that there will be some variation from school to school and classroom to classroom. It is also recognized and recommended that teachers should continue integrating curriculum across the content areas to provide adequate time for each, *i.e.* science, math, and history can be integrated into Language Arts as expository reading/comprehension and writing lessons, and vice versa. Care must be
taken to ensure that grade level competencies are being taught in all subjects involved in an integrated approach.

The Superintendent is charged with the responsibility to establish procedures which will ensure a minimum allocation of instructional minutes by subject in accordance with the established guidelines.

Students who are not performing at grade level in language arts and mathematics will attend before and/or after school tutoring or receive an extra period of instruction in the area they are below grade level.

*GRADES K-8 INSTRUCTIONAL MINUTES*

| *Subject Area* | *Kindergarten* | | *Grades 1-3* | | *Grades 4-5* | | *Grades 6-8* | |
|---|---|---|---|---|---|---|---|---|
| | *Daily/Weekly* | | *Daily/Weekly* | | *Daily/Weekly* | | *Daily/Weekly* | |
| Language Arts | 100 | 500 | 150 | 750 | 110 | 550 | 110 | 550 |
| Mathematics | 45 | 225 | 60 | 300 | 60 | 300 | 55 | 275 |
| Science & Health | | 46 | | 100 | | 250 | | 250 |
| History/Social Science | | 30 | | 75 | | 250 | | 250 |
| Fine Arts / ***Electives*** | | 100 | | 100 | | 150 | | 100-250* |
| Physical Education | | 100 | | 100 | | 100 | | 100-250* |
| **Allocated Minutes** | **201 / 1005** | | **285 / 1425** | | **320 / 1600** | | **335 / 1675** | |

* *This allotment of minutes allows flexibility for children to take 100 minutes, at a minimum, and up to a maximum of 250 minutes to be able to choose which activity best meets the individual needs of the student.*

**INSTRUCTION** **AR 6140**

## CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION (continued)

6. STAFF DEVELOPMENT

The District staff development program shall include a researched-based approach to teaching to provide staff members with alternative ways to view their teaching methods so that they may be as effective as possible.

A focused staff development plan, as outlined in Enterprise Board Policy 6113, will be designed and implemented to prepare staff members to teach the designed curriculum, principals to monitor the curriculum, and parents to assist students in the learning of the curriculum.

7. BUDGET

The Board shall adopt a District budget that reflects funding decisions based on the organization's educational goals and priorities—the type of document commonly referred to as a program-driven budget. The budget development process will ensure that goals and priorities are considered in the preparation of budget proposals and that any decisions related to reduction or increase in funding levels can be addressed in those terms. The format used in preparation will reflect these considerations and the public document eventually developed will be an interpretive document that communicates the budget to the public in consideration of the goals and priorities. The expected results of proposed expenditures will be clearly explained in the public document as well as in the proposal preparation documents.

8. ROLES AND RESPONSIBILITIES:

Governing Board

It is recognized that the Board has the responsibility for establishing what students should learn. Therefore, the Board shall adopt a district curriculum that, to the extent possible, reflects the desires of the community, the needs of society and the requirements of law.

Superintendent

The Superintendent or designee shall have general coordinating authority over the development of the curriculum/ the Superintendent or designee shall develop a process for curriculum review and development which includes the participation of teachers, administrators, students, parent/guardians, instructional aides, and members of the Board.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6140**

## CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION (continued)

The Superintendent will establish a curriculum review and evaluation cycle for each area of the curriculum that shall serve as the timeline for District wide curriculum development.

The Superintendent or designee shall keep the Board informed regarding current District curriculum efforts and student achievement. The Superintendent or designee shall provide all necessary assistance to the Board in review reports, information and data on each curriculum area for evaluations and adoption by the Board. Prior to adoption of District wide curriculum, the Board shall discuss its findings with the staff, community and students.

Superintendent and District Staff Members: The Superintendent is responsible for the implementation of the policy and these regulations. Appropriate District staff members are to serve as technical advisors to principals and to establish the management pace.

The Superintendent will evaluate the principal's approach to classroom monitoring of instruction. This evaluation will include, but not be limited to, analyzing the quantity and quality of observations.

Principals

The building principal, as an instructional leader, is the key to monitoring and implementation of the curriculum. The principal must translate this importance to staff members. The principal will observe classes, monitor lessons evaluate teacher-made tests and monitor homework, relationships with parents, discipline practices and grading system by having both staff members and students take responsibility for successful learning objectives on a daily basis. The principal will work closely with staff to support them as they implement state standards, testing, and district policy.

Teachers

Teachers are to carry out several responsibilities that reflect their vital role in the curriculum management process. Teachers are responsible for teaching to the planned curriculum and for testing their teaching.

- Assessing the student's current skills/learning in order to adjust his/her instructional assignment.
- When appropriate, sequencing tasks into a hierarchy of learning skills to maximize the effectiveness of instructional delivery.
- Ensuring that all students experience opportunities for personal success.

**INSTRUCTION** **AR 6140**

**CURRICULUM DEVELOPMENT, IMPLEMENTATION, AND EVALUATION (continued)**

- Varying the time for learning according to the needs of each student and the complexity of the task.
- Initial teaching to the standards, providing varied approaches, adequate practice time and multiple opportunities for learning and success.
- Assessing student mastery of the essential learnings to determine the mastery.
- Communicating with student, parents and administration the progress towards mastery of essential learnings and state standards.

Date Adopted: June 28, 1984
Date Revised: September 4, 2002

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6141.2**

## RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

The Governing Board recognizes that students' education would be incomplete without an understanding of the role of religion in society. As appropriate for a particular course, teachers may objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with culture, literature, or the arts. The Board expects that such instruction will identify principles common to all religions and foster respect for the diversity of religions and customs in the world and be consistent with the adopted instructional materials and state standards, as applicable.

In order to respect each student's individual right to freedom of religious practice, religious indoctrination is forbidden in public schools. The Superintendent or designee shall ensure that instruction about religion does not promote or denigrate the beliefs or customs of any particular religion or sect, nor that a preference be shown for one religious viewpoint over another. Teachers and other district staff shall be highly sensitive to their obligation not to interfere with the religious development of any student in whatever tradition the student embraces, and treat all religions and religious convictions, including nonbelief, with fairness and respect.

Staff shall not endorse, encourage, or solicit religious or anti-religious expression or activities among students during class time.

Staff shall not coerce students in prayer or other religious activities as part of their official duties. However, staff are not prohibited, when acting in their private capacity, from encouraging students' participation in personal prayer or other religious activity. Additionally, staff shall not prohibit or discourage any student from praying or otherwise expressing the student's religious belief so long as this does not disrupt the classroom or other district-sponsored activity.

Students may express their beliefs about religion in their homework, artwork, and other class work if the expression is germane to the assignment. Such work shall be judged by ordinary academic standards, relevance, and other legitimate pedagogical objectives.

While teaching about religious holidays is a permissible part of the educational program, celebrating religious holidays is not allowed in the district. District-sponsored programs shall not be, nor have the effect of being, religiously oriented or a religious celebration. School and classroom decorations may express seasonal themes that are not religious in nature. The use of religious symbols that are part of a religious holiday is permitted as a teaching aid or resource provided that such symbols are displayed as an example of cultural and religious heritage of the holiday and temporary in nature.

Classroom methods in instruction about religion shall not include religious role-playing activities or simulated religious devotional acts.

Music, art, literature or drama programs having religious themes are permitted as part of the

**RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS (continued)**

curriculum for district-sponsored activities and programs if presented in an objective manner and as a traditional part of cultural and religious heritage.
District schools shall not prohibit religious activities if the same or similar non-religious activities are permitted.

When required by law, the district shall notify parents/guardians that they may, via written request, opt their students out of instruction on the basis of their religious beliefs as specified in the accompanying administrative regulation. Students whose parents/guardians opt them out of such instruction may be offered an alternative activity of similar educational value. Additionally, a student shall not be subject to disciplinary action, academic penalty, or other sanction on the grounds that the student was opted out of such instruction.

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6141.2**

## RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

The Superintendent or designee shall ensure the following for the recognition of religious beliefs and customs in district schools:

1. The approach to religion is academic and not devotional

2. The goal is for student awareness of religion in historical and contemporary societies

3. The students may not be pressed to accept any one religion

4. The school may include the study of religion as part of the history-social science curriculum, but the practice of religions may not be sponsored

5. The students may be exposed to and educated about a diversity of religious views and beliefs, but a particular view or belief may not be imposed, nor may any one religion be promoted or denigrated

Staff shall make every effort to schedule one-time events, such as examinations, district-sponsored trips, special laboratories, picture-taking days, and class parties, to minimize conflicts with major religious holidays of all faiths such that no one faith is disproportionately impacted.

### Programs and Exhibits

When district programs and exhibits are in any way related to instruction about religion or religious holidays, the following guidelines shall be observed:

1. The principal or designee shall ensure that district-sponsored programs are presented in an objective manner, consistent with the accompanying Board policy

2. The principal or designee shall be kept informed of the program's development

3. Program or exhibit planners shall take into consideration the diverse religious faiths represented in the community, student body, and staff

### Opt-Outs

When a parent/guardian submits a written request to opt the parent's/guardian's student out of instruction based on religious beliefs, customs, or practices, the request shall include the following:

1. The specific instructional content of which the student should be opted out

**RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS (continued)**

2. The specific religious belief(s), custom(s), and/or practice(s) with which the specific instructional content substantially interferes

3. How the specific instructional content substantially interferes with the specific religious belief(s), custom(s), and/or practice(s), including any grade level or individual student characteristics relevant to the opt-out request

As necessary, the Superintendent or designee may work with district legal counsel to evaluate each opt-out request and determine whether it shall be granted.

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6142.1**

## SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

The Governing Board desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction in comprehensive sexual health and human immunodeficiency virus (HIV) prevention.

The district shall respect the rights of parents/guardians to supervise their students' education on these subjects and to impart values to their children regarding human sexuality.

As specified in the accompanying administrative regulation, the district shall strive to provide students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking; to have healthy, positive, and safe relationships and behaviors; to understand sexuality as a normal part of human development; and to develop healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family. (EC 51930-51939)

Each student in grades 7-12 shall receive comprehensive sexual health and HIV prevention education at least once in junior high or middle school and at least once in high school unless the student's parent(s)/guardian(s) opt the student out of such instruction as specified in "Parent/Guardian Notification and Opt-Out" in the accompanying administrative regulation. (EC 51934)

### General Criteria for Instruction and Materials

The Superintendent or designee shall ensure that the district's comprehensive sexual health and HIV prevention education and the associated materials: (EC 51930, 51933)

1. Are age appropriate

2. Are medically accurate and objective

3. Are aligned with and support the following purposes:

    a. To provide students with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy

    b. To provide students with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family

**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)**

c. To promote understanding of sexuality as a normal part of human development

d. To ensure students receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention education and provide educators with clear tools and guidance to accomplish that end

e. To provide students with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors

4. Are appropriate for use with English learners, students with disabilities, and students of all races, genders, sexual orientations, and ethnic and cultural backgrounds

5. Are available on an equal basis to a student who is an English learner, consistent with the existing curriculum and alternative options for an English learner as otherwise provided in the Education Code

6. Are accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials, and instruction in alternative formats and auxiliary aids

7. Do not reflect or promote bias against any person in protected categories of discrimination pursuant to Education Code 220

8. Affirmatively recognize that people have different sexual orientations and, when discussing or providing examples of relationships and couples, shall be inclusive of same-sex relationships

9. Teach students about gender, gender expression, and gender identity, and explore the harm of negative gender stereotypes

10. Encourage students to communicate with their parents/guardians and other trusted adults about human sexuality and provide the knowledge and skills necessary to do so

11. Teach the value of and prepare students to have and maintain committed relationships such as marriage

12. Provide students with the knowledge and skills they need to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion, harassment, and intimidation

**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)**

13. Provide students with the knowledge and skills for making and implementing healthy decisions about sexuality, including communication and refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities

14. Do not teach or promote religious doctrine

Additionally, the district's comprehensive sexual health education program shall include information on the affirmative consent standard. Affirmative consent is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. Teachers delivering such instruction shall consult information related to sexual harassment and violence in the state health curriculum framework. (EC 51225.36, 67386)

The Superintendent or designee shall identify appropriate methods for informing parents/guardians about subjects related to the district's comprehensive sexual health and HIV prevention education. The Superintendent or designee shall use such identified methods to inform parents/guardians of students in grades 6-12 about human trafficking prevention resources, as required pursuant to Education Code 49381.

**Parent/Guardian Notification and Opt-Out**

At the beginning of each school year or at the time of a student's enrollment, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing to opt their students out of participating in comprehensive sexual health and HIV prevention education. Students so excused shall be given an alternative educational activity. Additionally, a student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian opts the student out of such instruction. (EC 51240, 51938, 51939)

Date Adopted: February 3, 2016
Date Revised: December 18, 2019, September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6142.1**

## SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

### Definitions

Comprehensive sexual health education means education regarding human development and sexuality, including education on menstrual health, pregnancy, contraception, and sexually transmitted infections. (EC 51931)

HIV prevention education means instruction on the nature of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS), methods of transmission, strategies to reduce the risk of HIV infection, and social and public health issues related to HIV and AIDS. (EC 51931)

Age appropriate refers to topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group. (EC 51931)

Medically accurate means verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, the American Academy of Pediatrics, and the American College of Obstetricians and Gynecologists. (EC 51931)

### Components of Sexual Health and HIV Prevention Education

In addition to complying with the criteria listed in "General Criteria for Instruction and Materials" in the accompanying Board policy, the district's comprehensive sexual health and HIV prevention education for students in grades 7-12 shall include all of the following: (EC 51934)

1. Information on the nature of HIV and other sexually transmitted infections and their effects on the human body

2. Information on the manner in which HIV and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual behaviors and injection drug use

3. Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections, and that abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy

   The instruction shall provide information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and

other sexually transmitted infections and pregnancy.

4. Information about the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the Centers for Disease Control and Prevention

5. Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by decreasing needle use and needle sharing

6. Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others

7. Discussion about social views on HIV and AIDS, including addressing unfounded stereotypes and myths regarding HIV and AIDS and people living with HIV

   This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and testing is the only way to know if one is HIV-positive.

8. Information about local resources, how to access local resources, and students' legal rights to access local resources for sexual and reproductive health care such as testing and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence

9. Information about the effectiveness and safety of FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception

   Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to:

   a. Parenting, adoption, and abortion

   b. Information on the law on surrendering physical custody of a minor child 72 hours of age or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5

   c. The importance of prenatal care

**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)**

10. Information about sexual harassment, sexual assault, sexual abuse, and human trafficking, including:

    a. Information on the prevalence and nature of human trafficking, strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance if there is a suspicion of trafficking

    b. Information on how social media and mobile device applications are used for human trafficking

11. Information about adolescent relationship abuse and intimate partner violence, including the early warning signs of each, and the resources available to students related to adolescent relationship abuse and intimate partner violence, including the National Domestic Violence Hotline and local domestic violence hotlines that provide confidential support services for students that have experienced domestic violence or stalking

The district's comprehensive sexual health and HIV prevention education shall include instruction regarding the potential risks and consequences of creating and sharing suggestive or sexually explicit materials through cell phones, social networking websites, computer networks, or other digital media. (EC 51934)

**Professional Development**

The district's comprehensive sexual health and HIV prevention education shall be provided by instructors trained in the appropriate courses who are knowledgeable of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections. (EC 51931, 51934)

The Superintendent or designee shall cooperatively plan and conduct in-service training for all district personnel who provide HIV prevention education, through regional planning, joint powers agreements, or contract services. (EC 51935)

In developing and providing in-service training, the Superintendent or designee shall cooperate and collaborate with the teachers who provide HIV prevention education and with the California Department of Education (CDE). (EC 51935)

The district shall periodically conduct in-service training to enable district personnel to learn new developments in the scientific understanding of HIV. In-service training shall be voluntary for personnel who have demonstrated expertise or received in-service training from CDE or the Centers for Disease Control and Prevention. (EC 51935)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6142.1**

## SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

The Superintendent or designee may expand HIV in-service training to cover the topic of comprehensive sexual health education in order for district personnel teaching comprehensive sexual health education to learn new developments in the scientific understanding of sexual health. (EC 51935)

The Superintendent or designee shall periodically provide continuing education that enables district personnel to learn about new developments in the understanding of abuse, including sexual abuse, and human trafficking, and current prevention efforts and methods. Such education may include early identification of abuse, including sexual abuse, and human trafficking of students and minors. (EC 51950)

### Use of Consultants or Guest Speakers

The Superintendent or designee may contract with outside consultants or guest speakers, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver comprehensive sexual health and HIV prevention education or to provide training for district personnel. All outside consultants and guest speakers shall have expertise in comprehensive sexual health and HIV prevention education and knowledge of the most recent medically accurate research on the relevant topic(s) covered in the instruction. The Superintendent or designee shall ensure that any instruction provided by an outside speaker or consultant complies with Board policy, administrative regulation, and Education Code 51930-51939. (EC 51933, 51934, 51936)

### Parent/Guardian Notification and Opt-Out

At the beginning of each school year or at the time of a student's enrollment, the Superintendent or designee shall notify parents/guardians about comprehensive sexual health and HIV prevention education, as well as research on student health behaviors and risks, planned for the coming year. The notice shall advise parents/guardians: (EC 48980, 51938)

1. That written and audiovisual educational materials to be used in comprehensive sexual health and HIV prevention education are available for inspection

2. That parents/guardians have a right to opt their students out of comprehensive sexual health or HIV prevention education, or research on student health behaviors and risks, provided they submit their request in writing to the district

3. That parents/guardians have a right to request a copy of Education Code 51930-51939

4. Whether the comprehensive sexual health or HIV prevention education will be taught by district personnel or outside consultants and, if the district chooses to use outside

consultants or guest speakers for this purpose, the following information:

a. The date of the instruction

b. The name of the organization or affiliation of each guest speaker

c. Information stating the right of the parent/guardian to request a copy of Education Code 51933, 51934, and 51938

If the arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the Superintendent or designee shall notify parents/guardians by mail or another commonly used method of notification no fewer than 14 days before the instruction is given.

Except as required by law, the requirements of Education Code 51930-51939 pertaining to instructional content, teacher training, and parent/guardian notification and opt-out shall not apply to the following: (EC 51932)

1. A description or illustration of human reproductive organs that may appear in a textbook, adopted pursuant to law, if the textbook does not include other elements of comprehensive sexual health or HIV prevention education as defined in Education Code 51931

2. Instruction, materials, presentations, or programming that discusses gender, gender identity, gender expression, sexual orientation, discrimination, harassment, bullying, intimidation, relationships, or family and does not discuss human reproductive organs and their functions

Date Adopted: February 3, 2016
Date Revised: December 18, 2019, September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6142.4**

## SERVICE LEARNING/COMMUNITY SERVICE CLASSES

The Governing Board recognizes that preparing each generation to understand and support democratic principles is the responsibility of our institutions. High quality service-learning experiences provide students with opportunities to apply a standards-based curriculum that addresses local school and community needs and shows students that they can make a positive contribution to a community through involved citizenship. Research demonstrates that service-learning can help students develop transferable skills, increase career exploration, and improve confidence as well as strengthen academic outcomes and civic education. These opportunities help students recognize the relevance of what they are learning in school and can be designed to help develop cross-cultural relationships with the community.
(cf. 1020 - Youth Services)
(cf. 6000 - Concepts and Roles)
(cf. 6011 - Academic Standards)
(cf. 6030 - Integrated Academic and Vocational Instruction)
(cf. 6142.3 - Civic Education)

Service Learning

The Board affirms the importance of service learning as an integral component of the district's curriculum because it enables students to be confident, effective thinkers and problem solvers, as well as ethical participants in society. The Board encourages staff to collaborate with local public and nonprofit agencies in order to develop service learning activities that meet educational objectives, align with state and local academic standards, and address current community needs.
(cf. 1600 - Relations Between other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)

High quality service-learning is defined as an innovative strategy in which students apply curriculum skills to community service and includes:

Identifying and meeting a real community need
Integrating into and enhancing the standards-based curriculum
Coordinating with a community agency, another school or classroom, or the community at large
Helping foster civic responsibility
Providing structured time for reflection
(cf. 6143 - Courses of Study)

**INSTRUCTION** **BP 6142.4**

**SERVICE LEARNING/COMMUNITY SERVICE CLASSES (continued)**

The Board of Education encourages each student to participate in at least one age-appropriate service-learning activity at each grade span (PreK,-6, 7-8), and thus support the integration of service-learning into the curriculum and encourages staff and students to collaborate with local public and nonprofit agencies in order to develop service-learning activities that meet educational objectives, address state-adopted academic standards, and also fit the current community needs.

The Board of Education recommends that the Superintendent or designee develop a long-term plan to implement service-learning in the district as an instructional strategy.

Notifications

Parents/guardians shall receive information about the service learning or community service opportunities offered by the district and their benefits for both the community and the student.

*Legal Reference:*
*EDUCATION CODE*
*233.5 Teaching of principles*
*35160 Authority of governing boards*
*35160.1 Broad authority of school districts*
*37220.6 Cesar Chavez Day of Service and Learning*
*51210 Areas of study, grades 1-6*
*51220 Areas of study, grades 7-12*
*51745 Independent study*
*UNITED STATES CODE, TITLE 42*
*12501-12682 National and Community Service Trust Act of 1993*
*COURT DECISIONS*
*Steirer et al v. Bethlehem School District, (1993) 987 F.2d 989*

*Management Resources:*
*WEB SITES*
*CSBA: http://www.csba.org*
*California Department of Education, Service Learning: http://www.cde.ca.gov/ci/cr/sl*
*Learn and Serve America: http://www.learnandserve.org*
*National Service Learning Clearinghouse: http://www.servicelearning.org*
*Youth Service California: http://www.yscal.org*

(12/89 2/95) 3/07

Date Adopted: March 3, 2010

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6142.7**

## PHYSICAL EDUCATION AND ACTIVITY

The Governing Board recognizes the positive benefits of physical activity on student health, well-being, and academic achievement. The district shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The district's physical education and activity programs shall support the district's coordinated student wellness program and encourage students' lifelong health and fitness.

Physical education classes shall be conducted in a coeducational, inclusive manner in accordance with law. The district shall provide instruction in physical education that provides equal access and equal opportunities for participation for all students in grades 1-12 regardless of gender, gender expression, sexual orientation, and mental or physical disability, or any other protected status in accordance with Board Policy/Administrative Regulation 5145.3 - Nondiscrimination/Harassment. (EC 220, 221.5, 33352; 5 CCR 4900, 4930, 4931, 4940, 4960; 34 CFR 106.33, 106.34, 300.108)

The district's physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework.

The district's physical education program shall engage students in age-appropriate moderate to vigorous physical activity, as defined in the accompanying administrative regulation, including aerobic, muscle-strengthening, and bone-strengthening activities. The Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.

For grades 9-12, the overall course of study shall include the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives. (EC 33352; 5 CCR 10060)

The Board shall approve the courses in grades 9-12 for which physical education credit may be granted.

The Superintendent or designee shall develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day.

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

Upon written notification from a student's parent/guardian, or from the student if age 18 years of age or older, stating that the student is participating in religious fasting, the principal or designee shall grant a student an accommodation in connection with any physical activity component of a

physical education course during the period of religious fasting. The student shall be provided alternative assignments or activities for the period the student is granted an accommodation. (EC 51240.5)

The Superintendent or designee shall develop, adopt, and implement weather protocols that incorporate the standardized guidelines compiled by the California Department of Education and that include specific measures to be taken during extreme weather conditions. The adopted weather protocols shall be annually reviewed, evaluated, and if necessary, updated in accordance with law. (EC 33355)

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program in accordance with the district's extreme weather protocols and/or shall seek alternative indoor space to enable students to participate in active physical education.

The Superintendent or designee may offer an alternate term schedule for grades 6-12 physical education courses in accordance with Education Code 51222 as specified in the accompanying administrative regulation.

### Staffing

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

The district shall provide physical education teachers with continuing professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.

### Physical Fitness Testing

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education (FITNESSGRAM) to students in grades 5, 7 and 9. (EC 60800; 5 CCR 1041)

### Temporary Exemptions

The superintendent or designee may grant a student a temporary exemption from physical education under either of the following conditions: (EC 51241)

1. The student is ill or injured and a modified program to meet the student's needs cannot be provided

PHYSICAL EDUCATION AND ACTIVITY (continued)

2. The student is enrolled for one-half time or less

**Two-Year Exemptions**

With the student's consent, the Superintendent or designee may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met at least five of the six standards of the FITNESSGRAM in grade 9. (EC 51241)

Upon request by students and/or their parents/guardians, the Superintendent or designee may administer the FITNESSGRAM to students in grades 10-12 who need to pass the test in order to qualify for a two-year exemption from physical education courses.

Students in grades 10-12 who have been granted a two-year exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (EC 33352, 51222)

Such students shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (EC 51241)

**Permanent Exemptions**

The Superintendent or designee may grant a student a permanent exemption from physical education under any of the following conditions: (EC 51241)

1. The student is age 16 years or older and has been enrolled in grade 10 for one or more academic years

   However, such a student shall not be permitted to attend fewer total hours of courses and classes than the student would have attended if enrolled in a physical education course.

2. The student is enrolled as a postgraduate student

3. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise

Students who have been granted a permanent exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (EC 33352)

**INSTRUCTION** **BP 6142.7**

**PHYSICAL EDUCATION AND ACTIVITY (continued)**

### Other Exemptions

The Superintendent or designee may grant a student an exemption from physical education under the following special circumstances:

1. When the student is in any of grades 10-12 and is excused for up to 24 clock hours in order to participate in automobile driver training

   However, any such student shall attend a minimum of 7,000 minutes of physical education instruction during the school year. (EC 51222)

2. When the student is in any of grades 10-12, attends a regional occupational center or program, and, because of the travel time involved, would experience hardship to attend physical education courses

   Any such student shall have a minimum school day of 180 minutes. (EC 52316)

3. When the student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours (EC 51242)

### Program Evaluation

The Superintendent or designee shall annually report to the Board each school's FITNESSGRAM results for each applicable grade level. Additionally, the Superintendent or designee shall report to the Board regarding the number of instructional minutes offered in physical education for each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the district's program in meeting goals for physical activity and student well-being.

Board Adopted: November 1, 1995
Board Revised: April 5, 2006, August 3, 2016, November 4, 2020, May 27, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6142.7**

# PHYSICAL EDUCATION AND ACTIVITY

Definitions

*Extreme weather conditions* are occurrences of unusually severe weather conditions, including, but not limited to, periods of extreme heat, excessive precipitation, and floods, that may pose significant harm to students. (EC 33355)

*Moderate physical activity* is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, walking briskly, dancing, swimming, or bicycling on level terrain. A person should feel some exertion but should be able to carry on a conversation comfortably during the activity.

*Physical activity* is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms.

*Physical education* is a sequential educational program that teaches students to understand and participate in regular physical activity that assists in developing and maintaining physical fitness throughout their lifetime, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

*Vigorous physical activity* is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, jogging, participating in high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. Vigorous physical activity may be intense enough to result in a significant increase in heart and respiration rate.

## Instructional Time

Instruction in physical education shall be provided for at least the following minimum period of time: (EC 51210, 51222, 51223)

1. For students in grades 1-6, 200 minutes each 10 school days, exclusive of recess and the lunch period
2. For students in grades 7-8 attending an elementary school, 200 minutes each 10 school days, exclusive of recess and the lunch period
3. For students in grades 7-8 attending a middle school or junior high school, 400 minutes each 10 school days
4. For students in grades 9-12, 400 minutes each 10 school days

**PHYSICAL EDUCATION AND ACTIVITY (continued)**

An alternate term schedule may be provided for physical education courses in grades 6-12, if the following conditions are met: (EC 51222)

1. For students in grade 6 to receive no less than 400 minutes of instruction each 10 school days for a semester of not fewer than 18 weeks during the regular school year, for a total of 3,600 instructional minutes for the school year

2. For students in grades 7-12 to receive no less than 800 minutes of instruction every 10 school days for a semester of not fewer than 18 weeks during the regular school year, for a total of 7,200 instructional minutes for the school year

3. The physical education program is aligned with the physical education framework adopted by the State Board of Education (SBE) in that it provides a sequential, articulated, age-appropriate program

4. The physical education program complies with the course of study requirements of high school physical education programs, as applicable

5. Students are prepared for, and participate in, the physical performance testing as specified in Education Code 60800

If the instructional minute requirement cannot be met during any 10-day period due to inclement weather, a school assembly, field trip, student assessment, or other circumstance, the school shall make up those minutes on another day in order to satisfy the instructional minute requirement.

The Superintendent or designee shall determine a method to document compliance with the required number of instructional minutes. Such documentation may include, but not be limited to, a master schedule, bell schedule, weekly schedule for each teacher providing physical education instruction, district calendar, teacher roster, or log for staff or students to record the number of physical education minutes completed.

Any complaint alleging noncompliance with the instructional minute requirement may be filed in accordance with the district's procedures in Administrative Regulation 1312.3 - Uniform Complaint Procedures. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or CDE finds merit in a complaint, the district shall provide a remedy to all affected students and parents/guardians. (EC 51210, 51222, 51223; 5 CCR 4600-4670)

**INSTRUCTION** **AR 6142.7**

**PHYSICAL EDUCATION AND ACTIVITY (continued)**

### Monitoring Moderate to Vigorous Physical Activity

To monitor the amount of time students are engaged in moderate to vigorous physical activity, the Superintendent or designee may:

1. Develop methods to estimate the amount of time students spend in moderate to vigorous physical activity and the amount of time students are inactive during physical education classes

2. Provide physical education teachers with staff development, self-monitoring tools, stopwatches, and/or heart rate monitors to assist them in planning and assessing the level of activity in their classes

### Physical Fitness Testing

During the annual assessment window between the months of February through May, students in grades 5, 7, and 9 shall be administered the physical fitness test designated by SBE (FITNESSGRAM). (EC 60800; 5 CCR 1041)

The Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury. (5 CCR 1043)

On or before November 1 of each school year, the Superintendent may designate an employee to serve as the district's physical fitness test coordinator and so notify the test contractor. The test coordinator shall serve as the liaison between the district and CDE for all matters related to the physical fitness test. The duties of the test coordinator shall include, but are not limited to: (5 CCR 1043.4)

1. Responding to correspondence and inquiries from the contractor in a timely manner and as provided in the contractor's instructions

2. Determining district and school site test and test material needs

3. Overseeing the administration of the physical fitness test to students

4. Ensuring that all test data are received from school test sites in sufficient time to satisfy the reporting requirements

## PHYSICAL EDUCATION AND ACTIVITY (continued)

Students shall be provided with their individual results after completing the FITNESSGRAM. The test results may be provided in writing or orally as the student completes the testing, and shall be included in the student's cumulative record. (EC 49062, 60800; 5 CCR 1043.10) Each student's test results shall also be provided to the student's parents/guardians.

The Superintendent or designee shall report the aggregate results of the FITNESSGRAM in the annual school accountability report card required by Education Code 33126 and 35256. (EC 60800)

### Testing Variations

All students may be administered the FITNESSGRAM with the following test variations: (5 CCR 1047)

1. Extra time within a testing day
2. Test directions that are simplified or clarified

All students may have the following test variations if they are regularly used in the classroom: (5 CCR 1047)

1. Audio amplification equipment
2. Separate testing for individual students provided that the student(s) are directly supervised by the test examiner
3. Manually Coded English or American Sign Language to present directions for test administration

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (EC 60800; 5 CCR 1047)

Students with disabilities may be provided the following accommodations if specified in their individualized education program (IEP) or Section 504 plan: (5 CCR 1047)

1. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor
2. Administration of the test by a test examiner to the student at home or in the hospital
3. Any other accommodation specified in the student's IEP or Section 504 plan for the physical fitness test

Identified English learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)

1. Separate testing with other English learners, provided that the student(s) are directly supervised by the test examiner

2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language

**Additional Opportunities for Physical Activity**

The Superintendent or designee may implement strategies for increasing opportunities for physical activity outside the physical education program, which may include, but not be limited to:

1. Training recess, lunch, and before- and after-school supervisors on methods to engage students in moderate to vigorous physical activity
2. Encouraging teachers to incorporate physical activity into the classroom
3. Establishing extracurricular activities that promote physical activity, such as school clubs, intramural athletic programs, dance performances, community service, special events, and competitions
4. Incorporating opportunities for physical activity into before- or after-school programs and/or child care and development programs
5. Exploring opportunities for joint use of facilities or grounds in order to provide adequate space for students and community members to engage in recreational activities
6. Developing business partnerships to maximize resources for physical activity equipment and programs
7. Developing programs to encourage and facilitate walking, bicycling, or other active transport to and from school

Board Adopted: May 3, 2006
Date Revised: August 3, 2016, May 27, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6142.91**

## READING/LANGUAGE ARTS INSTRUCTION

The Governing Board recognizes that reading and other language arts constitute the basic foundation for learning in other areas of study. The Board desires to offer a comprehensive, balanced reading/language arts program that ensures all students have the skills necessary to read fluently and for meaning, and develops students' appreciation for literature. The program shall integrate reading, and oral and written language arts activities in order to build effective communication skills, including listening, speaking, and composition.

For each grade level, the Board shall adopt instructional materials that meet or exceed the Common Core State Standards in the following strands:

1. Reading: Foundational skills, text complexity and analysis, and the growth of comprehension

2. Writing: Text types, responding to reading, production and distribution of writings, and research

3. Speaking and listening: Oral language development, comprehension, flexible communication, and collaboration

4. Language: Conventions, effective use, knowledge of language, and vocabulary

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

### Screening for Risk of Reading Difficulties

The Board shall adopt, at a public meeting, one or more screening instruments to assess students in grades kindergarten-2 for risk of reading difficulties. The screening instrument(s) adopted by the Board shall provide assessments for both English-speaking and non-English speaking students, in languages reflecting the primary languages of students in the district, to the extent assessments in those languages are available. (EC 53008)

The district shall annually assess each student in grades kindergarten-2 for risk of reading difficulties. In determining when during the school year to screen students, the district shall consider whether students have received sufficient instruction in foundational reading skills to support a valid assessment. The district may provide additional student screenings or diagnostic evaluations, as appropriate. (EC 53008)

If a student enrolls for the first time in grades kindergarten-2 after the screening instrument(s) has

**READING/LANGUAGE ARTS INSTRUCTION (continued)**

been administered, the district shall assess the student within 45 calendar days of enrollment, unless either: (EC 53008)

1. The student's parent/guardian opts out of the screening in writing

2. The student's parent/guardian provides documentation or the district has documentation that the student has had a similar screening in their prior school for their current grade and the parent/guardian was made aware of the results

Students who do not speak sufficient English to be screened with an English-language instrument shall be screened in their primary language if a screening instrument in their primary language is available. If a screening instrument is not available in at least one language in which a student is proficient, the student shall be screened in accordance with Education Code 53008.

When a student acquires sufficient English language knowledge and fluency to be able to be assessed using the district's screening instrument, or if a screening instrument in their primary language becomes available, the district shall assess that student using the appropriate screening instrument. (EC 53008)

A student may be exempted from the screening for risk of reading difficulties if the parent/guardian provides prior written consent and the student meets any of the following criteria: (EC 53008)

1. Has a current identification or diagnosis of a reading difficulty, reading disorder, or other disability

2. Is eligible for special education and related services pursuant to the Individuals with Disabilities Education Act (IDEA) or a plan pursuant to Section 504 of the Rehabilitation Act of 1973

3. Is in the process of being assessed for eligibility for special education and related services pursuant to IDEA or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, and the student is being evaluated with diagnostic assessments that make screening for risk of reading difficulties redundant

The district shall, no later than 15 calendar days before administration of the screening instrument(s), provide parents/guardians of students eligible for screening for risk of reading difficulties with information about the screening, including the date(s) of the screening and instructions for how parents/guardians can opt out of their child's screening. (EC 53008)

**INSTRUCTION** **BP 6142.91**

## READING/LANGUAGE ARTS INSTRUCTION (continued)

### Staffing and Professional Development

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

The Superintendent or designee shall make available professional development opportunities that are designed to provide instructional staff with knowledge about how students develop language skills, the ability to analyze students' literacy levels, and mastery of a variety of instructional strategies and materials.

Employees administering screening instruments for risk of reading difficulties shall be appropriately trained to administer the instrument. (EC 53008)

### Program Evaluation

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

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6143**

## COURSES OF STUDY

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, the Superintendent or designee shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program or course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately or require or refuse participation by any student on the basis of the student's actual race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status; a perception of one or more of such characteristics; a combination of two or more of such characteristics or association with a person or group with one or more of these actual or perceived characteristics or a combination of two or more of them. (EC 200, 210.1, 210.2, 212, 212.1, 220, 221.51, 230, 260; GC 11135, 12926; Penal Code 422.55; 5 CCR 4940; 20 USC 1681-1688, 42 USC 2000d-2000d-7)

### Elementary Grades

The Board shall adopt a course of study for elementary grades that includes all required instructional content and sufficiently prepares students for the secondary course of study specified in Education Code 51225.3.

### Secondary Grades

The district shall offer all otherwise qualified students in grades 7-12 a course of study that includes all required instructional content and prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. The district's course of study may

**COURSES OF STUDY (continued)**

provide for a rigorous academic curriculum that integrates academic and career skills, includes applied learning across all disciplines, and prepares all students for high school graduation and career entry. (EC 51228)

Additionally, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities prior to graduation. (EC 51224, 51228)

The Superintendent or designee shall develop a process by which courses that meet California college admission criteria (referred to as "A-G" course requirements) are submitted to the University of California for review and certification. The Superintendent or designee shall maintain an accurate list of all current high school courses that have been so certified, ensure that the list is provided annually to all students in grades 9-12 and their parents/guardians, and make updated lists readily available. (EC 51229, 66204)

**Parental Notification and Opt-Out**

When required by law, Board policy, or administrative regulation, the district shall notify parents/guardians that they may request to opt their student out of certain instruction. Students for whom the district has approved the opt-out shall be offered an alternative activity of similar educational value.

Date Adopted: March 4, 2015
Date Revised: December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6143**

## COURSES OF STUDY

### Grades 1-6

Courses of study for grades 1-6 shall include the following:

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, including instruction in cursive or joined italics in the appropriate grade levels, and composition (EC 51210)

2. Mathematics: concepts, operational skills, and problem solving (EC 51210)

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (EC 51210)

    a. The history, resources, development, and government of California and the United States

    Instruction shall include the early history of California and a study of the role and contributions of people of all genders, Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ+) Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic status groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (EC 51204.5, 60040)

    b. The development of the American economic system, including the role of the entrepreneur and labor

    c. The relations of persons to their human and natural environments

    d. Eastern and western cultures and civilizations

    e. Contemporary issues

    f. The wise use of natural resources
    g. Spanish colonization of California and the Gold Rush Era, including the treatment and perspectives of Native Americans during those periods

4. Science: biological and physical aspects, with emphasis on the processes of experimental inquiry, the place of humans in ecological systems, the causes and effects of climate change, and the

**COURSES OF STUDY (continued)**

methods to mitigate and adapt to climate change (EC 51210)

5. Visual and performing arts: instruction in dance, music, theater, and visual arts aimed at developing aesthetic appreciation and creative expression (EC 51210)

6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (EC 51202, 51210)

    a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation (CPR) when appropriate equipment is available

    b. Fire prevention

    c. The protection and conservation of resources, including the necessity for the protection of the environment

    d. Venereal disease

    e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

    f. Prenatal care for pregnant women

    g. Violence as a public health issue

    h. Mental Health, that provides for reasonably designed instruction on the overarching themes and core principles of mental health, which includes: (EC 51925)

        i. Defining the signs and symptoms of common mental health challenges

        ii. Explaining evidence-based services and supports that effectively help individuals manage mental health challenges

        iii. Promoting mental health wellness and protective factors, including positive development, social and cultural connectedness and supportive relationships, resiliency, problem solving skills, coping skills, self-esteem, and a positive school and home environment in which students feel comfortable

        iv. Identifying warning signs of common mental health problems in order to promote awareness and early intervention so that students know to take action before a situation turns into a crisis, including how to obtain assistance from the district or

**COURSES OF STUDY (continued)**

the community for themselves or others and evidence-based and culturally responsive practices that are proven to help overcome mental health challenges

v. Connecting the importance of mental health to overall health and academic success and to co-occurring conditions, such as chronic physical conditions, chemical dependence, and substance abuse

vi. Conveying an awareness and appreciation about the prevalence of mental health challenges across all populations, races, ethnicities, and socioeconomic statuses, including the impact of race, ethnicity, and culture on the experience and treatment of mental health challenges

vii. Understanding the stigma surrounding mental health challenges and what can be done to overcome stigma, increase awareness, and promote acceptance, including, to the extent possible, classroom presentations of narratives by trained peers and other individuals who have experienced mental health challenges and how they coped with their situations, including how they sought help and acceptance

Mental health instruction offered by the district shall: (EC 51926)

A. Be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, students with disabilities, and English learners

B. Be accessible to students with disabilities, including, but not limited to, providing a modified curriculum, materials, and instruction in alternative formats, and auxiliary aids

C. Not reflect or promote bias against any person on the basis of any category protected by Education Code 220

D. Be coordinated with any existing on-campus mental health providers including, but not limited to, providers with a pupil personnel services credential, who may be immediately called upon by students for assistance

Students receiving mental health instruction shall not be required to disclose their confidential health or mental health information at any time in the course of receiving the instruction. (EC 51927)

7. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind

**COURSES OF STUDY (continued)**

8. Violence awareness and prevention

9. Career awareness exploration

**Grades 7-12**

Courses of study for grades 7-12 shall include the following:

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (EC 51220)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (EC 51220)

    a. The history, resources, development, and government of California and the United States, including instruction in:

        i. The early history of California and a study of the role and contributions of people of all genders, Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic status groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (EC 51204.5, 60040)

        ii. World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time

        iii. The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war

        iv. The Bracero program, in which there was a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States

    b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

        This course may include participation in a teen court or peer court program. (EC 51220.2)

**COURSES OF STUDY (continued)**

c. The development of the American economic system, including the role of the entrepreneur and labor

d. Personal financial literacy

e. The relations of persons to their human and natural environments, including the wise use of natural resources (EC 51221)

f. Eastern and western cultures and civilizations

g. Human rights issues, with particular attention to the study of the inhumanity of genocide, which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides, slavery, and the Holocaust (EC 51221.2, 51226.3)

h. To the extent instruction is provided on the Spanish colonization of California or the Gold Rush Era, the treatment and perspectives of Native Americans during those periods

i. Contemporary issues

3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (EC 51220)

4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (EC 51220)

5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; the causes and effects of climate change, the methods to mitigate and adapt to climate change; and appropriate applications of the interrelation and interdependence of the sciences (EC 51220)

6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (EC 51220, 51224.5)

7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (EC 51220)

8. Applied arts: consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture (EC 51220)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career

**COURSES OF STUDY (continued)**

desires and needs of students (EC 51220)

10. Comprehensive sexual health and HIV prevention (EC 51225.36, 51934)

11. Personal and public safety, accident prevention and health, including instruction in: (EC 51202, 51203)

    a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and CPR when appropriate equipment is available

       Instruction shall be provided in compression-only CPR based on national guidelines and shall include hands-on practice (EC 51225.6)

    b. Fire prevention

    c. The protection and conservation of resources, including the necessity for the protection of the environment

    d. Venereal disease

    e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

    f. Prenatal care for pregnant individuals

    g. Violence as a public health issue

    h. Mental Health, that provides for reasonably designed instruction on the overarching themes and core principles of mental health, which includes: (EC 51925)

       i. Defining the signs and symptoms of common mental health challenges

       ii. Explaining evidence-based services and supports that effectively help individuals manage mental health challenges

       iii. Promoting mental health wellness and protective factors, including positive development, social and cultural connectedness and supportive relationships, resiliency, problem solving skills, coping skills, self-esteem, and a positive school and home environment in which students feel comfortable

       iv. Identifying warning signs of common mental health problems in order to promote awareness and early intervention so that students know to take action before a situation turns into a crisis, including how to obtain assistance from the district or

**COURSES OF STUDY (continued)**

the community for themselves or others and evidence-based and culturally responsive practices that are proven to help overcome mental health challenges

v. Connecting the importance of mental health to overall health and academic success and to co-occurring conditions, such as chronic physical conditions, chemical dependence, and substance abuse

vi. Conveying an awareness and appreciation about the prevalence of mental health challenges across all populations, races, ethnicities, and socioeconomic statuses, including the impact of race, ethnicity, and culture on the experience and treatment of mental health challenges

vii. Understanding the stigma surrounding mental health challenges and what can be done to overcome stigma, increase awareness, and promote acceptance, including, to the extent possible, classroom presentations of narratives by trained peers and other individuals who have experienced mental health challenges and how they coped with their situations, including how they sought help and acceptance

Mental health instruction offered by the district shall: (EC 51926)

A. Be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, students with disabilities, and English learners

B. Be accessible to students with disabilities, including, but not limited to, providing a modified curriculum, materials, and instruction in alternative formats, and auxiliary aids

C. Not reflect or promote bias against any person on the basis of any category protected by Education Code 220

D. Be coordinated with any existing on-campus mental health providers including, but not limited to, providers with a pupil personnel services credential, who may be immediately called upon by students for assistance

Students receiving mental health instruction shall not be required to disclose their confidential health or mental health information at any time in the course of receiving the instruction. (EC 51927)

viii. Starting with the 2026-27 school year, the dangers associated with fentanyl use (EC 51225.38)

**COURSES OF STUDY (continued)**

12. Violence awareness and prevention

13. A one-semester course in Ethnic studies, which may be any one of the following: (EC 51225.3)

    a. A course based on the model curriculum developed pursuant to Education Code 51226.7

    b. An existing ethnic studies course

    c. An ethnic studies course taught as part of a course that has been approved as meeting the University of California (UC)/California State University (CSU) A-G requirements

    d. A locally developed ethnic studies course approved by the Governing Board

    Such a course shall first be presented at an open Board meeting, and approved only after a subsequent open Board meeting at which the public has had the opportunity to express its views on the proposed course

    For the courses described in Items #13a-d above, the curriculum, instruction, and instructional materials shall: (EC 51225.3)

        i. Be appropriate for use with students of all races, religious, nationalities, genders, sexual orientation, and diverse ethnic and cultural backgrounds, students with disabilities, and English learners

        ii. Not reflect or promote, directly or indirectly, any bias, bigotry, or discrimination against any person or group of persons based on any category protected by Education Code 220

        iii. Not teach or promote religious doctrine

14. Commencing in the 2027-28 school year, a separate, stand-alone one-semester course in personal finance (EC 51225.3)

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education, including, but not limited to, child growth and development, parental responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (EC 51220.5)

High schools shall offer automobile driver education that includes instruction in: (EC 51220, 51220.1, 51220.4)

**COURSES OF STUDY (continued)**

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle
7. The rights and duties of a motorist as they pertain to pedestrians and the rights and duties of pedestrians as they pertain to traffic laws and traffic safety

**Certification of College Preparatory Courses**

The Superintendent or designee shall identify district courses that may qualify for designation as "A-G" college preparatory courses, including courses in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives. The Superintendent or designee shall submit any necessary information regarding each identified course to UC for "A-G" designation.

**Notification and Information Sharing Related to Students in Grades 9-12**

At the beginning of each school year, the Superintendent or designee shall provide, as part of the annual notification required pursuant to Education Code 48980, written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (EC 51229)

1. A brief explanation of the course requirements for admission to UC and CSU
2. A list of the current UC and CSU websites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)

**COURSES OF STUDY (continued)**

4. The Internet address for the portion of CDE's website where students can learn more about career technical education

5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

6. A separate and distinct disclosure, in accordance with 20 USC 1232g, the federal Family Education Rights and Privacy Act of 1974 (FERPA), that data may be shared with the California College Guidance Initiative (CCGI) to provide students and their parents/guardians with direct access to online tools and resources for college and career planning

7. Contact information for the CaliforniaColleges.edu platform in order to access resources that help students and their parents/guardians learn about college admissions requirements

In order to provide data needed to improve student achievement and accomplish other specified goals, the Superintendent or designee shall submit student transcript information for grades 9-12 students to CCGI and shall comply with other program requirements specified in Education Code 60900.5. (EC 60900)

The Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the California Dream Act Application (CADAA) at least once before grade 12. (EC 51225.8)

The Superintendent or designee shall advise each student in grade 11 to complete the grade 11 financial aid lessons on CCGI's CaliforniaColleges.edu platform. (EC 51225.8)

**Financial Aid Requirements for Students in Grade 12**

The Superintendent or designee shall ensure that each student in grade 12 completes and submits a FAFSA to the U.S. Department of Education or, if a student is exempt from paying nonresident tuition, a CADAA to the Student Aid Commission (CSAC), unless either: (EC 51225.7)

1. The student's parent/guardian, emancipated minor, or student age 18 years or older submits an opt-out form to the district

2. If the district determines that a student is unable to complete a requirement of Education Code 51225.7, the district shall exempt the student or the student's parent/guardian from completing the FAFSA, CADAA, or opt-out form and shall complete and submit an opt-out form on the student's behalf and notify the student's parent/guardian of the student's exemption

**COURSES OF STUDY (continued)**

Before a student or the student's parent/guardian is exempted from the requirement to complete the FAFSA or CDAA, the district shall provide a student and the student's parent/guardian with the following information: (EC 51225.7)

1. The purposes and benefits of the FAFSA or CADAA, which include consideration for financial aid

2. The consequences of not completing and submitting a FAFSA or CADAA

3. The option to complete a FAFSA or CADAA after an opt-out form has been submitted

The information provided in Items #1-3 above shall be provided: (EC 51225.7)

1. To the student through a meeting between a school counselor and the student or, if no school counselor is employed at the school, between the student and other school staff, through written material, or by other means of communication

2. To the student's parent/guardian, or the student when required, and shall include notification of the date by which the student will be opted out by the district if no action is taken

This notice shall be provided with sufficient time for the student or parent/guardian to act before the district opts out the student.

The Superintendent or designee shall ensure that each high school student in grade 12, and if applicable, the student's parent/guardian, is directed to any support and assistance necessary to complete the FAFSA and/or CADAA that may be available through outreach programs, including, but not limited to, programs operated by CSAC, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and/or legal resource organizations. (EC 51225.7)

Information shared by students and parents/guardians in completing and submitting the FAFSA and/or CADAA shall be handled in compliance with FERPA and applicable state law, regardless of any person's immigration status or other personal information. (EC 51225.7)

The Superintendent or designee shall provide each student in grade 12, and if applicable, the student's parent/guardian, with information about, and potential eligibility for, the California Kids Investment and Development Savings Program. (EC 51225.7)

Date Adopted: March 4, 2015
Date Revised: December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6144**

## CONTROVERSIAL ISSUES

The Governing Board recognizes that the district's educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.3 - Civic Education)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)
(cf. 6143 - Courses of Study)

The Board expects administrators and teachers to exercise professional judgment when deciding whether or not a particular issue is suitable for study or discussion. They shall consult with the Superintendent or designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)

When providing instruction related to a controversial issue, the following guidelines shall apply:

1. The topic shall be suitable to the age and maturity of the students.

2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.

3. In the classroom, teachers act on behalf of the district and are expected to follow the adopted curriculum. In leading or guiding class discussions about issues that may be controversial, a teacher may not advocate his/her personal opinion or viewpoint. When necessary, the Superintendent or designee may instruct teachers to refrain from sharing personal views in the classroom on controversial topics.

4. Students shall be assured of their right to form and express an opinion without jeopardizing their grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6145.5 - Student Organizations and Equal Access)

**CONTROVERSIAL ISSUES (continued)**

5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)

6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.

7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the Superintendent or designee shall notify him/her of this policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

(cf. 6145.8 - Assemblies and Special Events)

When required by law, such as in regards to comprehensive sexual health and HIV prevention education, parents/guardians shall be notified prior to instruction that they may request in writing that their child be excused from the instruction. Students whose parents/guardians decline such instruction may be offered an alternative activity of similar educational value.

A student or parent/guardian with concerns regarding instruction about controversial issues may communicate directly with the teacher or principal and/or use appropriate district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)

**CONTROVERSIAL ISSUES (continued)**

Legal Reference:
EDUCATION CODE
220 Prohibition of discrimination
48950 Freedom of speech
51240 Excuse from health instruction due to religious beliefs
51500 Prohibited instruction or activity
51510 Prohibited study or supplemental materials
51511 Religious matters properly included in courses of study
51513 Materials containing questions about beliefs or practices
51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate
51930-51939 California Healthy Youth Act; comprehensive sexual health and HIV prevention education
60040 Portrayal of cultural and racial diversity
60044 Prohibited instructional materials
60045 Criteria for instructional materials
COURT DECISIONS
Johnson v. Poway Unified School District, (2011) 658 F.3d 954 (9th Cir.)
Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)
Garcetti v. Ceballos, (2006) 547 U.S. 410

(12/89 8/13) 3/17
Date Adopted: March 13, 2018

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6145.5**

## STUDENT ORGANIZATION AND EQUAL ACCESS

The Governing Board believes that student organizations reinforce the instructional program, give students practice in democratic self-government and provide social and recreational activities. Student organizations also serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging.

The Superintendent or designee shall establish criteria and a process for school sponsorship of student clubs.

Limited Open Forum

All student-initiated groups at elementary schools shall be given equal access to meet on school premises during non-instructional times without regard to their religious, political, philosophical or other speech content. (20 USC 4071)

(cf. 1155 - Use of School Facilities [EESD])
(cf. 5050 - Freedom of Speech/Expression [EESD])

All student clubs or groups shall have equal access to the school media, including the public address system, the school newspaper, and the school bulletin board, to announce meetings with the prior approval of school administration. The Superintendent or designee may inform students that certain groups are not school-sponsored.

No school shall deny equal access or a fair opportunity to meet to, or discriminate against, any group officially affiliated with the Boy Scouts of America, or with any other youth group listed as a patriotic society in Title 36 of the United States Code, for reasons based on the membership or leadership criteria or oath of allegiance to God and country. (20 USC 7905)

**INSTRUCTION** **BP 6145.5**

**STUDENT ORGANIZATION AND EQUAL ACCESS (continued)**

*Legal Reference:*
*EDUCATION CODE*
*52 Designation of secondary schools*
*53 Designation of high schools*
*200-262.3 Prohibition of discrimination on the basis of sex*
*32050-32051 Hazing*
*48930-48938 Student organizations*
*48950 Freedom of speech*
*49020 Athletic programs: Legislative intent*
*49021 Equal opportunity for male and female students*
*49022 Apportionment of funds for male and female students*
*49023 Expenditure of public funds; prohibited sex discrimination*
*CODE OF REGULATIONS, TITLE 5*
*2 Definitions*
*5531 Supervision of extracurricular activities of pupils*
*PENAL CODE*
*627-627.10 Access to school premises*
*UNITED STATES CODE, TITLE 20*
*4071-4074 The Equal Access Act*
*9504 School prayer*
*9505 Boy Scouts equal access*
*UNITED STATES CODE, TITLE 36*
*20101-240112 Patriotic organizations*
*COURT DECISIONS*
*Culbertson et al. v. Oakridge School District, (2001) 258 F.3d 1061*
*Good News Club et al. v. Milford Central School, (2001) 121 S.Ct. 2093*
*Ceniceros v. Board of Trustees of the San Diego Unified School District, (1995) 66 F. 3d 1535*
*Board of Education of Westside Community School District v. Mergens By and Through Mergens (1989, 8th Cir.) 867 F.2d 1076, affd. (1990) 496 U.S. 226*
*Perumal et al v. Saddleback Valley Unified School District, (1988) 198 Cal. App. 3d 64*
*Student Coalition for Peace v. Lower Merion School District Board of Directors, (1985) 776 F.2d. 431*
*Hartzell v. Connell, (1984) 35 Cal. 3d 899*

*Management Resources:*
*U.S. DEPARTMENT OF EDUCATION*
*Religious Expression in Public Schools: Statement of Principles, Richard W. Riley, 1995, rev. 1999*
*WEB SITES*
*U.S. Department of Education: http://www.ed.gov*

Date Adopted: January 7, 2004

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6145.5**

## STUDENT ORGANIZATIONS AND EQUAL ACCESS

School Sponsorship

School-sponsored student organizations must be organized at the school, have a certificated advisor, be composed completely of current student body members and be approved by the Superintendent or designee in accordance with Governing Board policy. They shall hold the majority of their meetings at school and have a democratic plan for the selection of officers. Organization activities shall not conflict with the authority and responsibilities of school officials.

The principal or designee shall direct any group of students seeking recognition as a student organization to submit a district-approved application form which includes the following information:

1. Name of the organization and names of student contacts.

2. A statement of the organization's purposes, objectives and activities.

3. Name of staff sponsor, and a description of the function of staff adviser in the promotion, supervision and leadership of the group. The principal shall have final authority in determining the assignment and role of the staff adviser.

4. The proposed dates, times, and location of meetings.

5. Any special equipment to be used.

6. A description of the qualifications for membership, if any.

7. If a curriculum-related group, a statement of the relation of the club to the curriculum and/or instructional program.

The principal or designee shall establish school rules governing the meetings of curriculum-related groups. Such rules may vary depending on the circumstances that apply, such as whether or not academic credit is given for participation in the group.

**INSTRUCTION** **AR 6145.5**

**STUDENT ORGANIZATIONS AND EQUAL ACCESS (continued)**

Limited Open Forum

The Superintendent or designee shall not deny any student-initiated group access to school facilities during non-instructional time on the basis of religious, political, philosophical or any other content to be addressed at such meetings. Such meetings shall not interfere with regular school activities.

The Superintendent or designee shall identify the non-instructional time period(s) set aside for non-curriculum-related student organization meetings before or after actual classroom instruction times. Meetings may also be held during the lunch hour.

The following criteria must be met for these meetings: (20 USC 4071, 4072)

1. The meeting shall be voluntary and student-initiated.

2. There shall be no sponsorship of the meeting by the school or staff. The school or staff shall not promote, lead, or participate in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes shall not constitute sponsorship of the meeting.

3. Employees of the school shall be present at religious meetings only in a non-participatory capacity.

4. The meeting shall not materially and substantially interfere with the orderly conduct of educational activities within the school.

5. Non-school persons shall not direct, conduct, control, or regularly attend activities of student groups.

School staff may be assigned voluntarily to observe meetings for purposes of maintaining order and protecting student safety. Students shall leave the meeting place in a clean, orderly, and secure condition after their meetings. (20 USC 4071)

The Superintendent may deny the use of facilities to any groups that he/she believes will disrupt the school program or threaten the health and safety of students and staff. (20 USC 4071)

Meetings held within the limited open forum shall entail no expenditure of public funds beyond the incidental cost of providing the meeting space. (20 USC 4071(d))

**INSTRUCTION** **AR 6145.5**

**STUDENT ORGANIZATIONS AND EQUAL ACCESS (continued)**

Hazing

No student shall conspire to engage in hazing, participate in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student. Persons violating this regulation shall be subject to district discipline and penalties specified in law. (Education Code 32051)

(cf. 5040 – Discipline [EESD])

Date Adopted: January 7, 2004

**INSTRUCTION** **AR 6145.5 – E #1**

**STUDENT ORGANIZATIONS AND EQUAL ACCESS**

SUBCHAPTER VIII - THE EQUAL ACCESS ACT

4071. Denial of Equal Access Prohibited

(a) Restriction of limited open forum on basis of religious, political, philosophical or other speech content prohibited

It shall be unlawful for any public secondary school which receives Federal financial assistance and which has a limited open forum to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

(b) "Limited open forum" defined

A public secondary school has a limited open forum whenever such school grants an offering to or opportunity for one or more non-curriculum related student groups to meet on school premises during non-instructional time.

(c) Fair opportunity criteria

School shall be deemed to offer a fair opportunity to students who wish to conduct a meeting within its limited open forum if such school uniformly provides that --

(1) the meeting is voluntary and student-initiated;
(2) there is no sponsorship of the meeting by the school, the government, or its agents or employees;
(3) employees or agents of the school or government are present at religious meetings only in a non-participatory capacity;
(4) the meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
(5) non-school persons may not direct, conduct, control or regularly attend activities of student groups.

(d) Construction of subchapter with respect to certain rights

Nothing in this title shall be construed to authorize the United States or any State or political subdivision thereof --

**STUDENT ORGANIZATIONS AND EQUAL ACCESS (continued)**

(1) to influence the form or content of any prayer or religious activity;
(2) to require any person to participate in prayer or other religious activity;
(3) to expend public funds beyond the incidental cost of providing the space for student-initiated meetings;
(4) to compel any school agent or employee to attend a school meeting if the content of the speech at the meeting is contrary to the beliefs of the agent or employee;
(5) to sanction meetings that are otherwise unlawful;
(6) to limit the rights of groups of students which are not of a specified numerical size; or
(7) to abridge the constitutional rights of any person.

(e) Federal financial assistance to schools unaffected

Notwithstanding the availability of any other remedy under the Constitution or the laws of the United States, nothing in this title shall be construed to authorize the United States to deny or withhold federal financial assistance in any school.

(f) Authority of schools with respect to order, discipline, well-being and attendance concerns

Nothing in this title shall be construed to limit the authority of the school, its agents or employees, to maintain order and discipline on school premises, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary.

4072. Definitions

As used in this title --
(1) The term "secondary school" means a public school which provides secondary education as determined by State law.
(2) The term "sponsorship" includes the act of promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting.
(3) The term "meeting" includes those activities of student groups which are permitted under a school's limited open forum and are not directly related to the school curriculum.
(4) The term "non-instructional time" means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends.

**STUDENT ORGANIZATIONS AND EQUAL ACCESS (continued)**

4073. Severability

If any provision of this title or the application thereof to any person or circumstances is judicially determined to be invalid, the provisions of the remainder of the title and the application to other persons or circumstances shall not be affected thereby.

4074. Construction

The provisions of this title shall supersede all other provisions of federal law that are inconsistent with the provisions of this title.

Board Adopted: January 7, 2004

*(BP, AR 6145.5)*

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6146.1**

# HIGH SCHOOL GRADUATION REQUIREMENTS

The Governing Board desires to prepare all students to successfully complete the high school course of study and obtain a diploma that represents their educational achievement and increases their opportunities for postsecondary education and employment.

District students shall complete graduation course requirements as specified in Education Code 51225.3. Additionally, unless exempted as provided in "Exemptions from District-Adopted Graduation Requirements for Highly Mobile Students" below, district students shall also complete other course requirements adopted by the Board. Students who are exempted from district-adopted graduation requirements shall be eligible to participate in any graduation ceremony and school activity related to graduation in which other students are eligible to participate.

## Course Requirements

To obtain a high school diploma, students shall complete the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Three courses in English (EC 51225.3)

2. Two courses in mathematics (EC 51225.3)

   Students shall complete at least one mathematics course that meets the state academic content standards for Algebra I or Mathematics I. Students may complete such coursework prior to grade 9 provided that they also complete two mathematics courses in grades 9-12. (EC 51224.5)

   Successful completion of an approved computer science course that is classified as a "category C" course based on the University of California (UC) and California State University (CSU) "A-G" admission requirements shall be counted toward the satisfaction of additional graduation requirements in mathematics. (EC 51225.3, 51225.35)

3. Two courses in science, including biological and physical sciences (EC 51225.3)

4. Three courses in social studies, including United States (U.S.) history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (EC 51225.3)

5. One course in visual or performing arts, world language, or career technical education (CTE). For purposes of this requirement, a course in American Sign Language shall be deemed a course in world language. (EC 51225.3)

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (EC 51225.3)

7. Beginning with the 2029-30 school year, a one-semester course in ethnic studies (EC 51225.3)

8. Beginning with the 2030-31 school year, a separate, stand-alone one-semester course in personal finance, that is not combined with any other course (EC 51225.3)

   A student who completes a separate stand-alone one-semester course in personal finance may be exempted from the requirement to complex a one-semester course in economic (EC 51225.3)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

The Superintendent or designee may exempt a student from any graduation requirements adopted by the Board that are in addition to the statewide course requirements. Before exempting a student from such requirements, the Superintendent or designee shall consult with the student and the educational rights holder for the student regarding any impact of not fulfilling district-adopted coursework on the student's ability to gain admission to an institution of higher education. (EC 51225.3)

**Exemptions from District-Adopted Graduation Requirements for Highly Mobile Students**

*Highly mobile student* means a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, student who is migratory, or a student participating in a newcomer program as specified in Education Code 51225.1.

A highly mobile student who transfers into the district or between district schools any time after completing the second year of high school or, if a newcomer student, who is in the third or fourth year of high school, shall be exempted from any graduation requirements adopted by the Board that are in addition to statewide course requirements. This exemption shall not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the additional requirements in time to graduate by the end of the fourth year of high school.

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

To determine whether a highly mobile student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer, the length of school enrollment, or, for a student with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school, whichever qualifies the student for the exemption. Additionally, for a newcomer student, enrollment in grade 11 or 12 based on the average age of students in the third or fourth year of high school may be used to determine whether the student is in the student's third or fourth year of high school. (EC 51225.1)

Within 30 days of the transfer into a school by a highly mobile student, the Superintendent or designee shall notify any eligible student, and others as required by law, of the availability of the exemption from local graduation requirements and whether the student qualifies for it. (EC 51225.1)

If a highly mobile student who is eligible for exemption from district-established graduation requirements was not properly notified of the exemption, declined the exemption, or was not previously exempted, the student or the student's educational rights holder may request the exemption and the Superintendent or designee shall exempt the student within 30 days of the request. Any such student who at one time qualified for the exemption may request the exemption even if the student is no longer eligible (EC 51225.1)

When a highly mobile student is exempted from district established graduation requirements based on the Superintendent's or designee's determination that the student is reasonably able to complete such requirements by the end of the student's fourth year of high school, within 30 calendar days of the following academic year the student shall be reevaluated based on the student's course completion status at the time to determine if the student continues to be reasonably able to complete the district-established graduation requirements in time to graduate by the end of the student's fourth year of high school. Written notice as to whether the student then qualifies for exemption shall be provided to the student, the person holding the right to make educational decisions for the student, and if applicable, to the student's social worker or probation officer. (EC 51225.1)

If, upon reevaluation, it is determined that the highly mobile student is not reasonably able to complete the district-established graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the Superintendent or designee shall provide the student with the option to receive an exemption from district-established graduation requirements or stay in school for a fifth year to complete the district-established graduation requirements upon agreement with the student, or if under 18 years of age, the person holding the right to make educational decisions for the student, and provide notifications in accordance with Education Code 51225.1. (EC 51225.1)

## HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

When a highly mobile student is exempted from district-established graduation requirements, the Superintendent or designee shall consult with the student and the person holding the right to make educational decisions for the student regarding the following:(EC 51225.1

1. Discussion of how any requirements that are waived may affect the student's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution

2. Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges

3. Consideration of the student's academic data and any other information relevant to making an informed decision on whether to accept the exemption

The district shall not require or request a highly mobile student to transfer schools in order to qualify for an exemption and shall not grant any request made by an eligible student, or the student's parent/guardian, the person holding the right to make educational decisions for the student, the student's social worker, the student's probation officer, or the district liaison on behalf of the student, as applicable, for a transfer solely to qualify for an exemption. (EC 51225.1)

The Superintendent or designee shall not require a highly mobile student who is eligible for an exemption from district-established graduation requirements and would otherwise be entitled to remain in attendance at the school, to accept the exemption or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether such courses are required for statewide graduation requirements. (EC 51225.1)

If a highly mobile student is exempted from district-established graduation requirements, the exemption shall not be revoked. Additionally, the exemption shall continue to apply while the student is enrolled in the school or transfers to another school, including a charter school, or school district, including after the student has ceased to meet the definition of a highly mobile student. (EC 51225.1)

The Superintendent or designee shall not require or request a highly mobile student who is exempted from district-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, to graduate before the end of the student's fourth year of high school. (EC 51225.1)

## HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

Upon making a finding that a highly mobile student is reasonably able to complete district-established graduation requirements within the fifth year of high school, the Superintendent or designee shall: (EC 51225.1)

1. Consult with the student and, if under 18 years of age, the person holding the right to make educational decisions for the student, of the option to remain in school for a fifth year to complete the district-established graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution

2. Consult with and provide information to the student about transfer opportunities available through the California Community Colleges

3. Upon agreement with the student or with the person holding the right to make educational decisions for the student if under 18 years of age, permit the student to stay in school for a fifth year to complete the district-established graduation requirements

4. For a foster youth or a student who is experiencing homelessness, consult with the student and the person holding the right to make educational decisions for the student of the option to remain in the student's school of origin

When a highly mobile student who is eligible for an exemption from district-established graduation requirements is not reasonably able to complete the district-established graduation requirements within the student's fifth year of high school but is reasonably able to complete the statewide coursework requirements within the fifth year of high school, the student shall be exempted from all district-established graduation requirements and be provided with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, the Superintendent or designee shall consult with the student and the person holding the right to make educational decisions for the student, regarding the following: (EC 51225.1)

1. The student's option to remain in school for a fifth year to complete statewide coursework requirements

2. The effect of waiving the district-established requirements and remaining in school for a fifth year on the student's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education

3. Other options available to the student, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

4. The student's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirement

Information regarding the educational rights of highly mobile students, as specified in Education Code 51225.1, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (EC 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of highly mobile students, as specified in Education Code 51225.2, may be filed in accordance with the district's procedures in Administrative Regulation 1312.3 - Uniform Complaint Procedures.

Annually, the Superintendent or designee shall report to the California Department of Education, in accordance with Education Code 51225.1, the number of student's graduating from the fourth or fifth year of high school who, for the prior school year, graduated with an exemption from district established graduation requirements that are in addition to statewide coursework requirements.

**Retroactive Diplomas**

Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (EC 51413)

Additionally, the district may retroactively grant high school diplomas to former students who: (EC 48204.4, 51430, 51440)

1. Departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure

   Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the district that are consistent with the purposes of Education Code 48204.4.

## HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

In determining whether to award a diploma under these circumstances, the Superintendent or designee shall consider any coursework that may have been completed outside of the U.S. or through online or virtual courses.

2. Were interned by order of the federal government during World War II or are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district high school immediately preceding the internment or military service and did not receive a diploma because their education was interrupted due to the internment or military service in those wars

   Deceased former students who satisfy these conditions may be granted a retroactive diploma to be received by their next of kin.

3. Are veterans who entered the military service of the U.S. while in grade 12 and who had satisfactorily completed the first half of the work required for grade 12 in a district school

4. Are former members of the military, a resident of California, and received an honorable discharge, or, are current members of the military, a resident of California, and a resident of California when entering the military

   In determining whether to award a diploma under these circumstances, the Superintendent or designee shall evaluate classes completed in any high school, community college, or state college, grant credit toward graduation for military service and training received while in the military, and if satisfied that the person has completed the equivalent of the requirements for graduation from high school, grant the person a diploma of graduation.

5. Were in their senior year of high school during the 2019-20 school year, were in good academic standing and on track to graduate at the end of the 2019-20 school year as of March 1, 2020, and were unable to complete the statewide graduation requirements as a result of the COVID-19 crisis

### Honorary Diplomas

The Board may grant an honorary high school diploma to: (EC Code 51225.5)

1. An international exchange student who has not completed the course of study ordinarily required for graduation and who is returning to the student's home country following the completion of one academic school year in the district

2. A student who is terminally ill

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district. (EC Code 51225.5)

Date Adopted: January 11, 2023
Date Revised: February 7, 2024, May 27, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6153**

## SCHOOL-SPONSORED TRIPS

The Governing Board recognizes that school-sponsored trips are important components of a student's development. Besides supplementing and enriching classroom learning experiences, such trips encourage new interests among students, make them more aware of community resources, and help them relate their school experiences to the outside world. The Board believes that careful planning can greatly enhance the value and safety of such trips.

If the Board allocates funds for school-sponsored trips, individual schools may be provided with budgetary allocations so they can plan ahead. Special trip expenses funds may be established when necessary for fund-raising purposes.

All trips involving out-of-state or overnight travel shall require the prior approval of the board. The requests shall be presented to the Superintendent for board agenda inclusion preferably no later than the third Friday of each month or, at a minimum, by the meeting date unless otherwise notified. If requests are not presented for board approval within this time frame and a special meeting must be called to approve the request, the person requesting the approval must attend the special meeting. Other trips which do not involve out of state or overnight may be approved by the superintendent or designee.

Principals shall ensure that teachers develop plans that provide for the safety of students and their proper supervision by certificated staff on all school-sponsored trips. Other school employees and parents/guardians also may participate in this supervision and may be asked to attend preparatory training sessions and/or meetings.

At least one certificated individual must attend each field trip.

The ratio of adults to students on school-sponsored trips shall be at least one to 10. If the trip involves water activities, this ratio shall be revised to ensure closer supervision of elementary grade students, appropriate to their ages.

All trips shall conform to sound risk management practices. High risk and excluded activities as outlined in Administrative Regulation 6153 must be avoided.

Study Trips

In advance of a study trip, teachers shall determine educational objectives that relate directly to curriculum. Principals shall ensure that teachers develop plans that provide for the best use of students' learning time while on the trip. Teachers also shall provide appropriate instruction before and after the trip.

*Legal Reference:*
*Education Code: 8760, 32040, 32041, 32043, 32044, 35330, 35331, 35332, 35350, 44808, 48908*

Board Adopted: April 5, 2000
Date Revised: May 29, 2002, February 1, 2006

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6153**

## SCHOOL-SPONSORED TRIPS

All school trips away from school grounds, including athletic trips and outdoor education programs, are subject to this regulation.

Students must have written parental permission in order to participate in all school-sponsored trips. The district shall provide an alternative educational experience for students whose parents/guardians do not wish them to participate in a trip.

Safety and First Aid

1. While conducting a trip, the teacher, employee, or agent of the school shall have the school's first aid kit in his/her possession or immediately available.

2. Before trips of more than one day, the principal or designee shall hold a meeting for staff, parents/guardians and students to discuss safety and the importance of safety-related rules for the trip. For non-certificated adults who will assist in supervising students on the trip, the principal or designee may also hold a meeting to explain how to keep appropriate groups together and what to do if an emergency occurs.

Supervision

1. Students on approved trips are under the jurisdiction of the governing board and subject to school rules and regulations.

2. Teachers or other District employees, approved by the site administrator, shall accompany students on all overnight trips and shall assume responsibility for their proper conduct.

3. Before the trip, teachers shall provide any adult chaperones who may accompany the students with clear information regarding their responsibilities. Any non-certificated chaperone that can be alone with a student, unsupervised, must be fingerprinted.

4. Chaperones shall be 21 years of age or older.

5. Chaperones shall be assigned a prescribed group of students and shall be responsible for the continuous monitoring of these students' activities.

6. Teachers and chaperones shall not consume alcoholic beverages or use controlled substances while accompanying and supervising students on a trip. This section does not include prescription medications.

7. When a trip is made to a place of business or industry, the teacher shall arrange for an employee of the host company to serve as conductor.

**INSTRUCTION** **AR 6153**

**SCHOOL-SPONSORED TRIPS (continued)**

Funding

No student shall be prevented from making a trip because of a lack of sufficient funds. No trip shall be authorized if any student would be excluded from participation because of a lack of sufficient funds.

Trip Approval

1. Teachers planning a trip shall make a request in writing to the principal in a timely manner. For overnight or out-of-state trips, requests shall be presented to the Superintendent for board agenda inclusion preferably no later than the third Friday of each month or, at a minimum, by the meeting date unless otherwise notified. Only completed requests, using the current form, will be considered. If requests are not presented for board approval within this time frame and a special meeting must be called to approve the request, the person requesting the approval must attend the special meeting. Whenever practical, an alternate date should also be listed. The purpose of the trip and its relation to the course of study shall be stated in the request.

2. The principal shall approve or disapprove the request and notify the teacher. If the trip is disapproved, the principal should state the reasons.

3. Principals may exclude from the trip any student whose presence on the trip would pose a safety or disciplinary risk.

4. Principals shall approve no activities that they consider to be inherently dangerous to students or to pose unacceptable risks.

5. Students will not be allowed to stay overnight in private homes unless accompanied by a school district employee and/or fingerprinted and cleared chaperones. Cost for fingerprinting will be borne by the volunteer.

Trips Which Include Swimming, Wading or Boating

1. No swimming, wading, or boating shall be allowed on trips unless planned and approved in advance.

2. When wading in the ocean, a river or other body of water as part of a planned, supervised outdoor education activity, teachers shall provide for a number of chaperones to exceed the normal 1 to 10 ratio and shall instruct both chaperones and students of the real and potential risks inherent in such activities, and the precautions necessary for their safety.

**INSTRUCTION** **AR 6153**

**SCHOOL-SPONSORED TRIPS (continued)**

3. Swimming Activities

   a. Parents/Guardians must provide written permission for the student to swim and must indicate the student's swimming ability.

   b. Swimming facilities, including backyard pools, must be inspected by the principal and teacher before the trip is scheduled.

   c. Owners of private pools must provide a certificate of insurance, designating the district as an additional insured, for not less than $500,000 in liability coverage.

   d. Lifeguards must be designated for all swimming activities. If lifeguards are not provided by the pool owner or operator, the principal shall ensure their presence. Lifeguards must be Red Cross certified or equivalent and must be at least 18 years old.

   e. The ratio of adult chaperones to students shall be at least 1 to 5. In grades 4-6 this ratio shall be 1 to 4. In grades K-3, this ratio shall be 1 to 2.

   f. Specific supervisory responsibilities shall be determined in advance to accommodate the varying swimming abilities of students. These responsibilities shall be clarified in writing and reviewed verbally before the trip.

   g. Staff and chaperones assigned to supervise students are encouraged to wear swimsuits and must know how to swim.

   h. The principal may require students to wear personal flotation devices, depending upon their ages and swimming ability.

   i. A buddy system or other means of surveillance shall be arranged in advance and strictly enforced during swimming activities.

   j. In the event that a swimming event or water activity is planned that requires policy modification or exception, the Superintendent or his designee is authorized to use his or her best judgment in allowing for the activity while protecting the children and staff.

4. Boating Activities

   a. All students involved in activities where they will be on any type of watercraft must wear Coast Guard approved personal flotation devices at all times.

**INSTRUCTION** **AR 6153**

**SCHOOL-SPONSORED TRIPS (continued)**

5. Excluded Activities

The following activities are specifically excluded activities for all field trips:

a. Mountain climbing using climbing gear

b. Scuba diving (except swimming pool instruction)

c. Horseback riding

d. Trap, skeet, or archery

e. High ropes course

f. Hot air or gas bag balloons

g. Owned or non-owned aircraft except commercial or chartered

h. Trampolines

i. Watercraft with motor excess of 25 horsepower owned or operated by or rented to or loaned to the school or its employees except houseboats or boats chartered through a commercial operator.

j. All-terrain vehicles not licensed for highway use

k. Rodeo activities

l. Use or handling of any explosives, fireworks, or pyrotechnic devices.

*Legal Reference:*
*Education Code: 8760, 32040, 32041, 32043, 32044, 35330, 35331, 35332, 35350, 44808, 48908*

Date Adopted: April 5, 2000
Date Revised: May 29, 2002, February 1, 2006

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6154**

## HOMEWORK/MAKEUP WORK

The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time and assist students in developing good study habits. Homework shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.

Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.
(cf. 6011 - Academic Standards)

As needed, teachers may receive training in designing relevant homework assignments that reinforce classroom learning objectives.
(cf. 4131 - Staff Development)

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.

Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, learn to work independently, and develop good personal study habits.

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines shall also be included in student and/or parent/guardian handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.

Although it is the student's responsibility to undertake assignments independently, parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. When a student repeatedly fails to complete homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

To further support students' homework efforts, the Superintendent or designee may establish and maintain electronic forums, provide access to school library media centers and technological

**HOMEWORK/MAKEUP WORK (continued)**

resources, and/or provide before-school and after-school programs where students can receive homework assistance from teachers, volunteers, and/or student tutors. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.
(cf. 1240 - Volunteer Assistance)
(cf. 1700 - Relations between Private Industry and the Schools)
(cf. 3541 - Transportation Routes and Services)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6112 - School Day)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6163.1 - Library Media Centers)

Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.

Makeup Work

Students who miss school work because of absences shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time. (EC 48205) Students will be given, at a minimum, a day for every day of school missed to complete their makeup work. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.
(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall notify parents/guardians that no student may have a grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (EC 48980)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5145.6 - Parental Notifications)

Suspended Students

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is later, and is not graded before the end of the academic term, the homework assignment shall not be included in the calculation of the student's overall grade in the class. (EC 48913.5)

**INSTRUCTION** **BP 6154**

## HOMEWORK/MAKEUP WORK (continued)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (EC 48913)

(cf. 5144.1 - Suspension and Expulsion/Due Process)
Legal Reference:
EDUCATION CODE
8420-8428 21st Century High School After School Safety and Enrichment for Teens
8482-8484.65 After School Education and Safety Program
8484.7-8484.9 21st Century Community Learning Centers
48205 Absences for personal reasons
48913 Completion of work missed by suspended student
48913.5 Homework assignments for suspended students
48980 Parental notifications
UNITED STATES CODE, TITLE 20
7171-7176 21st Century Community Learning Centers
Management Resources:
CSBA PUBLICATIONS
Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief, July 2016
WEB SITES
CSBA: http://www.csba.org
California State PTA: http://www.capta.org

(2/99 12/16) 12/19
Date Revised: March 4, 2020

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6154**

## HOMEWORK/MAKEUP WORK

The principal and staff at each school shall develop and regularly review a school-site homework plan, which follows the Administrative Guidelines listed below for the assignment of homework and describes the responsibilities of students, staff, and parents/guardians. In addition, each school-site homework plan will include information on how to complete makeup work.

Purpose of Homework

Homework should:

1. Provide practice and reinforce concepts already taught in the classroom.
2. Develop good study habits, a positive attitude, and serve as a message to students and parents that learning takes place outside the school as well as inside the school.
3. Be completed independently, as best as possible, without parental influence except in rare occasions where students are struggling to complete the homework.
4. Increase communication between the home and school.
5. Promote wise and good management of time.
6. Be necessary and useful, as well as appropriate to the ability and maturity level of students.
7. Be well explained and clearly understood by students and parents.
8. Be useful to teachers to monitor student learning toward academic standards.

Amount of time by grade level required for completion on a nightly basis,* not including long-term projects or special assignments:

| | | | |
|---|---|---|---|
| Kindergarten | 10-15 minutes | Fifth | 30-45 minutes |
| First | 10-20 minutes | Sixth | 35-50 minutes |
| Second | 15-25 minutes | Seventh | 40-55 minutes |
| Third | 20-30 minutes | Eighth | 45-60 minutes |
| Fourth | 25-40 minutes | | |

*Additional time may be added for honors classes at the 6-8 grade junior high level not to exceed double the maximum minutes listed above for those grades.

Note: Independent reading is recognized as a universal skill that relates to all subjects. Therefore, reading assignments are considered separate homework and not included in the expected minutes listed above.

## HOMEWORK/MAKEUP WORK (continued)

Note: If students are exceeding the maximum minutes listed above on a regular basis, parents should talk with the classroom teacher. If the situation is not remedied, parents are encouraged to talk with the principal.

Note: Students who do not use classroom time wisely may need to complete class work in addition to the minutes listed above. In the case of the special need students, see the Modifications section.

Teachers' Responsibility

Teachers should insure that:

1. Homework assignments are clearly explained and understood by students.
2. Homework is used to practice and reinforce skills taught in the classroom.
3. Students understand the concepts and have the skills necessary to complete the assignments independently at home.
4. Students are provided regular feedback on the homework assigned.
5. Parents have a clear understanding of their role in helping their child, the amount of time expected for students to complete the assignments, and the schedule or expectations of when work will be due.
6. Inform parents when student class work is not completed and that it may affect their overall achievement.
7. Modifications are made when necessary.

Parents' Responsibility:

Parents should insure that:

1. Students are provided a time and place each evening for quiet study without distractions in order to complete their work.
2. Provide encouragement to complete their work in a timely manner.
3. Help their child organize materials and establish a routine to insure that work completed is returned to school when due.
4. Ensure that student work completed is their own.
5. They are supportive of the classroom teacher and, if confused or upset with an assignment, the student will work independently with the teacher to correct the confusion.
6. They are supportive and assist their child when their child becomes frustrated. This should include helping them understand how to complete the work on their own.
7. Communication takes place with the teacher if the work is too difficult or has become excessive and requires more time than the policy states.

**INSTRUCTION** **AR 6154**

## HOMEWORK/MAKEUP WORK (continued)

Students' Responsibility

Students will insure that:

1. They write down the assignments due.
2. Assignments are clearly understood and ask questions if necessary.
3. A time is set aside along with a place each evening for quiet study without distractions in order to complete their work.
4. Work completed is their own.
5. Materials are organized and a routine is established to insure that work completed is returned to school when due.

Principals' Responsibility

Principals will:

1. Ensure that parents and staff are informed of the homework policy.
2. Monitor implementation and management of the policy.
3. Work with families to provide resources as needed to help insure that students have the ability to complete their work at home.
4. Seek feedback on a regular basis from parents, students, and teachers regarding the amount of time required to complete homework assigned on a nightly basis.

Modifications

It is vital that teachers monitor homework assignments for students to insure that the homework is appropriate for the student. This includes students who are struggling academically, have learning disabilities, and students who find the work too easy.

Examples of modifications appropriate for different types of learners:

Struggling students or students with learning disabilities:

1. Shorten assignments.
2. Ensure that homework is clearly understood and allows the student the ability to practice skills taught in class.
3. Provide parents with appropriate ways to help their children complete their work.
4. Be cognizant of the time required for students to complete their work and do not expect students to work beyond the time allotted per grade level.
5. Teach students specific organizational tools needed to complete the work assigned.

**INSTRUCTION** **AR 6154**

**HOMEWORK/MAKEUP WORK (continued)**

Students who find the work easy or demonstrate successful mastery of work expected:

1. Do not lengthen the assignment or provide extra work.
2. Alter the assignment with a few problems that are different with the required application of the skill learned (*i.e.*, word problems, etc.)
3. Assign work in another subject area than the area in which they have mastery.

Makeup Work Due to Absences

Students who miss school work because of absences shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time (Education Code 48205). Students will be given, at a minimum, a day for every day of school missed to complete their makeup work. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.

Board Adopted: November 2, 2005

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6158**

## INDEPENDENT STUDY

The Governing Board authorizes independent study as an optional alternative instructional strategy for students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered for short- or long-term placements, on a full-time or part-time basis, and/or in conjunction with part- or full-time classroom study. Independent study may also be offered through course-based independent study pursuant to Education Code section 51749.5 et seq.

The Board shall hold a public hearing when considering the scope of its existing or prospective use of independent study as an instructional strategy, its purposes in authorizing independent study, and factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students or adult education students. (EC 51747; 5 CCR 11701)

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course.

Student participation in independent study shall be voluntary. (EC 51747, 51749.5, 51749.6)

Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (EC 51747.5)

### General Independent Study Requirements

For the 2022-2023 school year and thereafter, the Superintendent or designee may continue to offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than the student would in the regular classroom setting.

An individual with exceptional needs, as defined in Section 56026, may participate in independent study if the pupil's individualized education program developed pursuant to Article

**INDEPENDENT STUDY (continued)**

3 (commencing with section 56340) of Chapter 4 of Part 30 specifically provides for that participation.

The minimum instructional minutes for students participating in independent study shall be the same as required for their peers at the school who are receiving in-person instruction, except as otherwise permitted by law. (EC 46100)

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due. However, in no event shall the due date of an assignment be extended beyond the termination date specified in the student's written agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses two assignments. Satisfactory educational progress shall be determined based on all of the following indicators: (EC 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060

2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments

3. Learning required concepts, as determined by the supervising teacher

4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction.

**INDEPENDENT STUDY (continued)**

Beginning with the 2024-2025 school year, the Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards that is substantially equivalent to in-person instruction. (EC 51747)

The Superintendent or designee shall ensure that students participating in independent study for 16 or more cumulative school days receive the following throughout the school year: (EC 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction

2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction

3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in an independent study program for 16 or more cumulative school days who:

1. Are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or 10 percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar;

2. Are found to be not participatory pursuant to Section 51747.5 for more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span; or

3. Are in violation of their written agreement.

Beginning with the 2024-2025 school year, the Superintendent or designee shall ensure that procedures for tiered reengagement are used for all students participating in an independent study program for 16 or more cumulative school days who:

1. Are not generating attendance for more than 10 percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar;

**INDEPENDENT STUDY (continued)**

2. Are found to be not participatory pursuant to Education Code 51747.5 for more than 50 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span; or

3. Are in violation of their written agreement

Tiered reengagement strategies procedures used in district independent study programs shall include, but not limited to the following: (EC 51747)

1. Verification of current contact information for each enrolled student;

2. Notification to parents/guardians of lack of participation within one school day of the absence or lack of participation;

3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary;

4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being; and

5. Beginning with the 2022-2023 school year, local programs intended to address chronic absenteeism, as applicable.

The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days. This requirement only applies to students participating in an independent study program for 16 or more cumulative school days. (EC 51747)

Beginning with the 2022-2023 school year, the requirements for tiered reengagement, synchronous instruction / live interaction, and a required plan to transition to return to in-person instruction from independent study shall not apply to any pupils who participate in an independent study program for 15 cumulative school days or less in a school year and pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals, of the needs for pupils to participate in independent study, pursuant to this provision. (EC 51747)

**INDEPENDENT STUDY (continued)**

The Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (EC 51747, 51749.5)

Upon the request of the parent/guardian of a student, before making a decision about enrolling or disenrolling in independent study and entering into a written agreement to do so, the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, and, if requested, their advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (EC 51747) Beginning with the 2022-2023 school year, before signing a written agreement as described below, the parent or guardian of the pupil may request that the local educational agency conduct such a conference.

**Master Agreement**

A written agreement shall be developed and implemented for each student participating in independent study. (EC 46300, 51747)

The written agreement shall specify the length of time that may elapse between the time an independent study.

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but are not limited to, all of the following: (EC 51747; 5 CCR 11700, 11702)

1. The manner, time, frequency, and place for submitting the student's assignments, the time value of assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress.

2. The objectives and methods of study for the student's work and the methods used to evaluate that work.

3. The specific resources that will be made available to the student, including materials and personnel, and access to internet connectivity and devices adequate to participate in the educational program and complete assigned work.

**INDEPENDENT STUDY (continued)**

4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study.

5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year.

6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion.

7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.

8. A statement that independent study is an optional educational alternative in which no student may be required to participate, and the student has the continuing option of classroom instruction.

9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction.

10. Beginning with the 2024-2025 school year, for a pupil participating in an independent study program that is scheduled for 16 or more cumulative school days, each written agreement shall be signed before the commencement of independent study by the pupil, the pupil's parent, legal guardian or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable.

    Beginning with the 2024-2025 school year, for a pupil participating in independent study program that is scheduled for 15 cumulative school days or less, each

**INDEPENDENT STUDY (continued)**

written agreement shall be signed anytime during the same school year, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable.

11. Independent Study may be offered to any pupil impacted by any of the conditions listed in EC 46392 within ten days of the first day of a school closure or material decrease in attendance.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (EC 51747)

The parent/guardian/caregiver's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

**Student-Parent-Educator Conferences**

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or, if requested by a student, parent, guardian, or caregiver prior to enrollment or disenrollment from independent study. (ECs 51745.5, 51747, 51749.5)

**Records**

The Superintendent or designee shall ensure that records are maintained for audit purposes.

These records shall include, but not be limited to: (EC 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study.

2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education.

3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally

**INDEPENDENT STUDY (continued)**

4. evaluated the work or personally reviewed the evaluations made by another certificated teacher.

5. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products or participation in online programs, judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons.

6. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5. (EC 51745.6 and 51749.5)

7. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. (EC 51747.5)

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which independent study is provided. A student who does not participate in scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that school day. (EC 51747.5)

The Superintendent or designee also shall maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (EC 51747.5)

and the signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (EC 51747)

**Program Evaluation**

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based

**INDEPENDENT STUDY (continued)**

on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

Date Adopted: May 6, 1982
Date Revised: March 3, 1993, June 23, 1999, November 3, 2010, May 7, 2014, May 27, 2015, September 1, 2021, October 5, 2022, February 7. 2024, September 4, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6158**

# INDEPENDENT STUDY

## Definitions

*Live interaction* means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in-person, or in the form of Internet or telephonic communication. (EC 51745.5)

*Student-parent-educator conference* means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (EC 51745.5)

*Synchronous instruction* means classroom-style instruction or designated small group or one-on-one instruction delivered in-person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by a teacher or teachers of record for that student pursuant to Education Code 51747.5 or the certificated employee providing instruction for course-based independent study. (EC 51745.5)

## Educational Opportunities

Educational opportunities offered through independent study may include, but are not limited to: (EC 51745)

1. Special assignments extending the content of regular courses of instruction

2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum

3. Continuing and special study during travel

4. Volunteer community service activities and leadership opportunities that support and strengthen student achievement

5. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction or for a student who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance

In addition, when requested by a parent/guardian due to an emergency or illness, independent study

## INDEPENDENT STUDY (continued)

may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

No course required for high school graduation shall be offered exclusively through independent study. (EC 51745)

### Equivalency

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (EC 51747)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing access to Internet connectivity and district-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value. (EC 46300.6, 51747.3)

### Eligibility for Independent Study

To participate in independent study, a student shall be enrolled in a district school. (EC 51748)

The Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

A student participating in independent study must be a resident of the county or an adjacent county.

## INDEPENDENT STUDY (continued)

Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (EC 46300.2, 51747.3)

A student with disabilities, as defined in Education Code 56026, may participate in independent study if the student's individualized education program (IEP) specifically provides for such participation. If a parent/guardian of a student with disabilities requests independent study because the student's health would be put at risk by in-person instruction, the student's IEP team shall make an individualized determination as to whether the student can receive a free appropriate public education (FAPE) in an independent study placement. A student's inability to work independently, need for adult support, or need for special education or related services shall not preclude the IEP team from determining that the student can receive FAPE in an independent study placement. (EC 51745)

In addition, any student with disabilities who receives services from a nonpublic, nonsectarian school through a virtual program may be permitted to participate in independent study if the student's IEP team determines that FAPE can be provided to the student by means of the virtual program and other conditions of law are satisfied.

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through independent study. (EC 51745)

Except for students participating in independent study due to an emergency as described in Education Code 41422 and 46392 and pregnant and parenting students who are the primary caregiver for their child(ren), no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program shall be enrolled in independent study. (EC 51745)

### Monitoring Student Progress

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian

2. A meeting between the student and the teacher and/or counselor

3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate

4. An increase in the amount of time the student works under direct supervision

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether independent study is in the student's best interest. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program. (EC 51747, 51749.5; 5 CCR 11701)

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation, and if the student transfers to another public school in California, the record shall be forwarded to that school. (EC 51747, 51749.5)

**Responsibilities of Independent Study Administrator**

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator

2. Approving or denying the participation of students requesting independent study

3. Facilitating the completion of written independent study agreements

4. Ensuring a smooth transition for students into and out of the independent study mode of instruction

5. Approving all credits earned through independent study

6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

**Assignment and Responsibilities of Independent Study Teachers**

## INDEPENDENT STUDY (continued)

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (EC 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (EC 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement

2. Supervising and approving coursework and assignments

3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due

4. Maintaining a daily or hourly attendance register in accordance with Item #4 in the section on "Records" in the accompanying Board policy

5. Providing direct instruction and counsel as necessary for individual student success

6. Regularly meeting with the student to discuss the student's progress

7. Determining the time value of assigned work or work products completed and submitted by the student

8. Assessing student work and assigning grades or other approved measures of achievement

9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for

**INDEPENDENT STUDY (continued)**

which live interaction or synchronous instruction is provided as part of the independent study program

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

Date Adopted: June 23, 1993
Date Revised: June 23, 1994; June 28, 1995; June 23, 1999; September 1, 1999, November 3, 2010, May 7, 2014, May 27, 2015, October 6, 2021, October 5, 2022

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6158.1**

## INDEPENDENT STUDY FOR 2021-2022 AND SUBSEQUENT SCHOOL YEARS

The Board of Education has previously authorized independent study as an optional alternative instructional strategy for eligible students whose needs may be best met through study outside of the regular classroom setting. (cf. 6158 – Independent Study.) With the enactment of Assembly Bill No. 130 (Ch.44, Stats. 2021, hereafter "AB 130"), school districts and county offices of education are required to offer independent study for the 2021-2022 school year, with limited exceptions.

Education Code section 51747, as it read prior to July 8, 2021, provided that a local educational agency shall not be eligible to receive apportionments for independent study unless it has adopted and implemented written policies as specified in that statute. AB 130 continues the requirement for local educational agencies to adopt and implement written policies, and adds additional content required to be included in such policies. This policy is intended to supplement Board Policy (BP) and Administrative Regulation (AR) No. 6158 to include the additional requirements of AB 130. To the extent that there is any conflict between this policy and BP and AR No. 6158, the provisions of this policy shall govern.

The District shall comply with the requirements of AB 130 by either providing an independent study option to all students or contracting with the County Office of Education or through an interdistrict transfer agreement with another school district to provide independent study to students.

This policy shall govern dependent charter schools authorized by the Board and operated by the District that offer independent study.

The Administration shall adopt Regulations implementing this policy in compliance with AB 130.

Date Adopted: August 4, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6158.1**

## INDEPENDENT STUDY FOR 2021-2022 AND SUBSEQUENT SCHOOL YEARS

The Board of Education has adopted a policy to implement the requirements of AB 130. With the enactment of Assembly Bill No. 130 (Ch. 44, Stats. 2021, hereafter "AB 130"), school districts and county offices of education are required to offer independent study for the 2021-2022 school year, with limited exceptions.

This Regulation is intended to implement the additional requirements of AB 130. To the extent that there is any conflict between this Regulation and AR No. 6158, the provisions of this Regulation shall govern.

This administrative regulation shall govern dependent charter schools authorized by the Board and operated by the District that offer independent study.

1. Monitoring Student Progress

In addition to the number of missed assignments permitted by BP 6158 or AR 6158 before an evaluation is conducted to determine whether it is in the best interests of a pupil to remain in independent study, or whether the pupil should return to the regular school program, the pupil's level of satisfactory progress shall be considered. Satisfactory educational progress shall be determined based on all of the following indicators:

(A) The pupil's achievement and engagement in the independent study program, as indicated by the pupil's performance on applicable pupil-level measures of pupil achievement and pupil engagement, including but not limited to the student's attendance and absenteeism.

(B) The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.

(C) Learning required concepts, as determined by the supervising teacher.

(D) Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

2. Content Standards

The provision of content aligned to grade level standards that is provided to pupils in the independent study program shall be at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the local educational agency for graduation and approved by the University of California or the California State University as creditable under the A–G admissions criteria.

**INDEPENDENT STUDY FOR 2021-2022 AND SUBSEQUENT SCHOOL YEARS (con't)**

3. Re-engagement Strategies

The District will take measures to re-engage pupils who are not generating attendance for more than three schooldays or 60 percent of the instructional days in a school week, or who are in violation of their written agreement pursuant to Education Code section 51747(g), BP/AR 6158 and this policy. Procedures for tiered reengagement strategies shall include all of the following:

(A) Verification of the pupil's current contact information.

(B) Notification to parents or guardians of lack of participation within one school day of the absence or lack of participation.

(C) A plan for outreach to determine pupil needs, including connection with health and social services as necessary.

(D) A clear standard for requiring a pupil-parent-educator conference to review a pupil's written agreement and reconsider the independent study program's impact on the pupil's achievement and well-being, consistent with the provisions of BP/AR 6158 and this policy regarding missed assignments and satisfactory educational progress.

"Pupil-parent-educator conference" means a meeting involving, at a minimum, all parties who signed the pupil's written independent study agreement pursuant to subdivision (g) of Section 51747 or the written learning agreement pursuant to subdivision (b) of Section 51749.6.

This section shall not apply to pupils that participate in an independent study program for 15 cumulative school days or less in a school year.

4. Instructional Delivery Methods

Instruction shall be provided to all pupils in the independent study program in accordance with the pupil's written agreement, and shall include the following:

(A) For pupils in transitional kindergarten, kindergarten, and grades 1 to 3, inclusive, daily synchronous instruction shall be provided for all pupils throughout the school year.

(B) Pupils in grades 4 to 8, inclusive, will be provided opportunities for both daily live interaction and at least weekly synchronous instruction for all pupils throughout the school year.

(C) Pupils in grades 9 to 12, inclusive, will be provided opportunities for at least weekly synchronous instruction for all pupils throughout the school year.

**INDEPENDENT STUDY FOR 2021-2022 AND SUBSEQUENT SCHOOL YEARS (con't)**

"Live interaction" means interaction between the pupil and District classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of internet or telephonic communication.

"Synchronous instruction" means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of internet or telephonic communications, and involving live two-way communication between the teacher and pupil. Synchronous instruction shall be provided by the teacher of record for that pupil pursuant to Education Code Section 51747.5.

This section shall not apply to pupils that participate in an independent study program for 15 cumulative schooldays or less in a school year.

5. Returning to In-Person Instruction

Pupils whose families wish to return to in-person instruction from independent study may notify the designated contact person, as set forth in the pupil's written agreement. Upon notice from the pupil's family that a return to in-person instruction is desired, the Independent Study Administrator shall provide for the pupil's return to the school of the pupil's previous in-person attendance, or such other school as is appropriate for the pupil's grade level and place of residence, no later than five instructional days after the request is received.

This section shall not apply to pupils that participate in an independent study program for 15 cumulative schooldays or less in a school year.

6. Master Agreement

Each pupil's written agreement for independent study shall include, in addition to those provisions required by BP/AR 6158 the following:

(A) The manner, time, frequency, and place for submitting students' assignments, the time value of assignments, and for communicating with a pupil's parent or guardian regarding the pupil's academic progress.

(B) The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.

(C) A statement of the level of satisfactory educational progress allowed before an evaluation of

whether or not the pupil should be allowed to continue in independent study.

(D) A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.

Signed written agreements, supplemental agreements, assignment records, work samples, and attendance records assessing time value of work or evidence that an instructional activity occurred may be maintained as an electronic file. An electronic file includes a computer or electronic stored image of an original document, including, but not limited to, portable document format, JPEG, or other digital image file type, that may be sent via fax machine, email, or other electronic means. Either an original document or an electronic file of the original document is allowable for auditing purposes.

Written agreements may be signed using an electronic signature that complies with state and federal standards that may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. The use of an electronic signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Section 16.5 of the Government Code and in Chapter 10 (commencing with Section 22000) of Division 7 of Title 2 of the California Code of Regulations, are satisfied.

For the 2021–22 school year only, the District shall obtain a signed written agreement for independent study from the pupil, or the pupil's parent or legal guardian if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil no later than 30 days after the first day of instruction.

7. Independent Study Enrollment and Notice

For the 2021–22 school year only, the District shall notify the parents and guardians of all enrolled pupils of their options to enroll their child in in-person instruction or independent study during the 2021–22 school year. This notice shall include written information on the District's internet website, including, but not limited to, the right to request a pupil-parent-educator conference meeting before enrollment pursuant to this section, pupil rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the synchronous and asynchronous instructional time that a pupil will have access to as part of independent study.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6158.1**

## INDEPENDENT STUDY FOR 2021-2022 AND SUBSEQUENT SCHOOL YEARS (con't)

Upon the request of the parent or guardian of a pupil, and before signing a written agreement with the pupil's parent or guardian, the District shall conduct a phone, videoconference, or in-person pupil-parent-educator conference or other school meeting during which the pupil, parent or guardian, and, if requested by the pupil or parent, an education advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the pupil in independent study, before making the decision about enrollment or disenrollment in the various options for learning.

Legal Reference:
EC 51745 – 51749 Independent Study Programs
Assembly Bill No. 130 (Ch. 44, Stats. 2021)

Date Adopted: August 4, 2021, September 4, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6159**

## INDIVIDUALIZED EDUCATION PROGRAM

The Governing Board desires to provide full educational opportunities to all students with disabilities. Students with disabilities who require special education and related services to meet their unique needs shall receive a free appropriate public education (FAPE) and, to the maximum extent possible, shall be educated in the least restrictive environment with nondisabled students.

For each student with disabilities, an individualized education program (IEP) shall be developed which identifies the special education instruction and related services to be provided to the student. The membership of the IEP team, the team's responsibility to develop and regularly review the IEP, the contents of the IEP, and the development, review, and revision processes shall be in accordance with the accompanying administrative regulation.

The district shall make FAPE available to individuals with disabilities ages 3-21 who reside in the district, including: (EC 56040, 56440; 20 USC 1412; 34 CFR 300.17, 300.101, 300.104)

1. Students who have been suspended or expelled from school

2. Students who are placed by the district in a nonpublic, nonsectarian school

3. Individuals 18-21 years of age who are incarcerated in an adult correctional facility and were identified as being an individual with disabilities or had an IEP in their prior educational placement

Date Adopted: January 9, 2008

Date Revised: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6159**

## INDIVIDUALIZED EDUCATION PROGRAM

At the beginning of each school year, the district shall have an individualized education program (IEP) in effect for each student with a disability within district jurisdiction. The IEP shall be a written statement that is developed, reviewed, and revised by the IEP team to meet the unique educational needs of a student with a disability. (EC 56344, 56345; 34 CFR 300.320, 300.323)

### Members of the IEP Team

Unless excused by written agreement in accordance with Education Code 56341, the IEP team for any student with a disability shall include the following members: (EC 56341, 56341.5; 20 USC 1414; 34 CFR 300.321)

1. One or both of the student's parents/guardians and/or a representative selected by them

   To the extent permitted by federal law, a foster parent shall have the same rights relative to a foster child's IEP as a parent/guardian, subject to juvenile court orders regarding the foster child's educational rights holder(s). (EC 56055)

2. If the student is or may be participating in the general education program, at least one of the student's general education teachers designated by the Superintendent or designee to represent the student's general education teachers

   The general education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of appropriate positive behavioral interventions, supports, and other strategies for the student, and supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300.320. (EC 56341; 20 USC 1414; 34 CFR 300.324)

3. At least one of the student's special education teachers or, where appropriate, special education providers

4. A representative of the district who is:

   a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities

   b. Knowledgeable about the general education curriculum

   c. Knowledgeable about the availability of district resources

5. An individual who can interpret the instructional implications of assessment results

**INDIVIDUALIZED EDUCATION PROGRAM (continued)**

This individual may already be a member of the team as described in Items #2-4 above or in Item #6 below.

6. At the discretion of the parent/guardian or the Superintendent or designee, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate

   The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team. (EC 56341)

7. Whenever appropriate, the student

   In the development, review, or revision of the IEP, the student shall be allowed to provide confidential input to any representative of the IEP team. (EC 56341.5)

8. When the IEP team is determining eligibility for a student who is suspected of having a specific learning disability, at least one individual who is qualified to conduct individual diagnostic examinations of the student such as a school psychologist, speech language pathologist, or remedial reading teacher (34 CFR 300.308)

   In accordance with 34 CFR 300.310, at least one team member other than the student's general education teacher shall observe the student's academic performance and behavior in the areas of difficulty in the student's learning environment, including in the general education classroom setting. If the child is younger than five years of age or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.

In the following circumstances, the Superintendent or designee shall invite other specified individuals to an IEP team meeting:

1. When the student has been placed in a group home by the juvenile court, a representative of the group home shall be invited to attend the IEP team meeting (EC 56341.2)

2. Whenever the IEP team is meeting to consider the student's postsecondary goals and the transition services needed to assist the student in reaching the goals, the following individuals shall be invited to attend: (34 CFR 300.321)

   a. The student, regardless of the student's age

      If the student does not attend the IEP team meeting, the Superintendent or designee

**INDIVIDUALIZED EDUCATION PROGRAM (continued)**

shall take other steps to ensure that the student's preferences and interests are considered.

b. To the extent appropriate, and with the consent of the parent/guardian or adult student, a representative of any other agency that is likely to be responsible for providing or paying for the transition services

3. If the student was previously served under the Early Education for Individuals with Exceptional Needs (EC 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004), and upon request of the student's parent/guardian, the Superintendent or designee shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services (EC 56341; 20 USC 1414; 34 CFR 300.321)

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian and the district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. When the meeting involves a discussion of the IEP team member's area of the curriculum or related service, the member may be excused from the meeting if the parent/guardian, in writing, and the district consent to the excusal after conferring with the member and the member submits to the parent/guardian and IEP team written input into the development of the IEP prior to the meeting. (EC 56043, 56341; 20 USC 1414; 34 CFR 300.321)

**Contents of the IEP**

The IEP shall include, but not be limited to, all of the following: (EC 56345, 56345.1; 20 USC 1414; 34 CFR 300.320)

1. A statement of the present levels of the student's academic achievement and functional performance, including:

   a. The manner in which the disability affects the student's involvement and progress in the general education curriculum, which is the same curriculum as for a student without disabilities

   b. For a preschool student, as appropriate, the manner in which the disability affects the student's participation in appropriate activities

   c. For a student with a disability who takes alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives

**INDIVIDUALIZED EDUCATION PROGRAM (continued)**

2. A statement of measurable annual goals, including academic and functional goals, designed to:

    a. Meet the student's needs that result from the disability in order to enable the student to be involved in and make progress in the general education curriculum

    b. Meet each of the student's other educational needs that result from the disability

3. A description of the manner in which the student's progress toward meeting the annual goals described in Item #2, above, will be measured and when the district will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through quarterly or other periodic reports, concurrent with the issuance of report cards

4. A statement of the special education instruction and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to:

    a. Advance appropriately toward attaining the annual goals

    b. Be involved and make progress in the general education curriculum in accordance with Item #1, above, and to participate in extracurricular and other nonacademic activities

    c. Be educated and participate with other students with disabilities and students without disabilities in the activities described in the IEP

5. An explanation of the extent, if any, to which the student will not participate with students without disabilities in the regular class and in extracurricular and other nonacademic activities described in the IEP

6. A statement of any appropriate individual accommodations necessary to measure the academic achievement and functional performance of the student on state and districtwide assessments

    If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or districtwide assessment, the student's IEP shall also include a statement of the reason that the student cannot participate in the regular assessment and the reason that the particular alternate assessment selected is appropriate for the student.

7. The projected date for the beginning of the services and modifications described in Item #4, above, and the anticipated frequency, location, and duration of those services and modifications

**INDIVIDUALIZED EDUCATION PROGRAM (continued)**

8. If determined appropriate by the IEP team, when the student starts high school or not later than the first IEP to be in effect when the student is 16 years of age, or younger, as appropriate, and updated annually thereafter, the following:

    a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills

    b. The transition services, including courses of study, needed to assist the student in reaching those goals

    If the IEP team determines the student would benefit from postponing the measurable postsecondary goals and transition services until the student is 16 years of age, the IEP team should document the reason(s) for the postponement.

9. A description of the means by which the IEP will be provided under emergency conditions, as described in Education Code 46392, in which instruction and/or services cannot be provided to the student either at the school or in person for more than 10 school days

    The description shall take into account public health orders and shall include special education and related services, supplementary aids and services, transition services, and extended school year services.

10. Beginning at least one year before the student reaches 18 years of age, a statement that the student has been informed of the rights, if any, that will transfer to the student upon reaching 18 years of age, pursuant to Education Code 56041.5

11. For a student in grades 7-12, any alternative means and modes necessary for the student to complete the district's prescribed course of study and to meet or exceed proficiency standards required for graduation

12. For a student whose native language is not English, linguistically appropriate goals, objectives, programs, and services

13. Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education (FAPE)

14. If the student is to be transferred from a special class or nonpublic, nonsectarian school into a general education program in a public school for any part of the school day, provision for transition into the general education program including descriptions of activities intended to:

**INDIVIDUALIZED EDUCATION PROGRAM (continued)**

a. Integrate the student into the general education program, including the nature of each activity and the time spent on the activity each day or week

b. Support the transition of the student from the special education program into the general education program

15. For a student with low incidence disabilities, specialized services, materials, and equipment consistent with the guidelines pursuant to Education Code 56136

To assist a student who is blind, has low vision, or is visually impaired to achieve the student's maximum potential, the IEP team may consider instruction in the expanded core curriculum, including compensatory skills such as Braille, concept development, or other skills needed to access the core curriculum; orientation and mobility; social interaction skills; career technical education; assistive technology, including optical devices; independent living skills; recreation and leisure; self-determination; and sensory efficiency. When appropriate, such services may be offered before or after school. (EC 56353)

**Development of the IEP**

Within 30 days of an initial determination that a student needs special education and related services, the Superintendent or designee shall ensure that a meeting to develop an initial IEP is conducted. (EC 56043; 34 CFR 300.323)

Any IEP required as a result of an assessment of a student shall be developed within 60 days from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension, or repeatedly fails or refuses to produce the child for the assessment. (EC 56043, 56302.1, 56344)

Days between the student's regular school sessions, terms, or school vacation of more than five school days shall not be counted. In the case of school vacations, the 60-day time limit shall recommence on the date that the student's school days reconvene. (EC 56043, 56344)

However, when a student has been referred for assessment with 30 or fewer days remaining until the end of the regular school year, the IEP shall be developed within 30 days after the commencement of the subsequent regular school year. (EC 56344)

In developing the IEP, the IEP team shall consider all of the following: (EC 56040.6, 56341.1, 56345; 20 USC 1414; 34 CFR 300.324)

1. The strengths of the student

## INDIVIDUALIZED EDUCATION PROGRAM (continued)

2. The concerns of the parents/guardians for enhancing the education of their child

3. The results of the initial or most recent assessment of the student

4. The academic, developmental, and functional needs of the student

5. In the case of a student whose behavior impedes the student's learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior

6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP

7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille

   However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an assessment of the student's reading and writing skills, needs, and appropriate reading and writing media, including an assessment of future needs for instruction in Braille or the use of Braille.

8. The communication needs of the student and, in the case of a student who is deaf, hard of hearing, or deaf-blind, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode

   Additionally, the team shall consider placements, related services, and program options that provide the student with an equal opportunity for communication access in the least restrictive environment, as specified in Education Code 56040.6 and 56345.

9. Whether the student requires assistive technology devices and services, including artificial intelligence devices and services

If, in considering the special factors in Items #1-9 above, the IEP team determines that the student needs a particular device or service, including an intervention, accommodation, or other program modification, in order to receive FAPE, the team shall include a statement to that effect in the student's IEP. (EC 56341.1)

**Provision of Special Education and Related Services**

## INDIVIDUALIZED EDUCATION PROGRAM (continued)

*Special education* is specially designed instruction, at no cost to the parent/guardian, to meet the unique needs of individuals with disabilities, including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education. This definition does not prohibit an IEP from including specialized deaf and hard-of-hearing related services as the only services provided to a student with disabilities. (EC 56031)

The district shall ensure that, as soon as possible following development of the IEP, special education and related services are made available to the student in accordance with the IEP. (EC 56344; 34 CFR 300.323)

The Superintendent or designee shall ensure that the student's IEP is accessible to each general education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. Additionally, the Superintendent or designee shall ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that shall be provided to the student in accordance with the IEP. (34 CFR 300.323)

If an orientation and mobility evaluation is determined to be needed for a student who is blind, has low vision, or is visually impaired, the evaluation shall be conducted by a person who is appropriately certified as an orientation and mobility specialist and shall occur in familiar and unfamiliar environments, in varying lighting conditions, and in the home, school, and community, as appropriate. The Superintendent or designee may require annual written parent/guardian consent to provide orientation and mobility services when such services are provided before or after school and when they are provided away from the school site. (EC 56354; 5 CCR 3051.3)

If a student's IEP requires the provision of assistive technology devices or services, including artificial intelligence services, the district shall provide such devices or services and shall, on a case-by-case basis, provide for the use of school-purchased devices or services in the student's home or other settings if the IEP team determines that the student needs access to those devices or services in order to receive FAPE. If a student who requires the use of an assistive technology device or services transfers to another local educational agency, the district shall provide the student with continued access to that device or services or a comparable device or service for two months from the date the student ceased to be enrolled in the district or until alternative arrangements can be made to provide access to the device, whichever occurs first. (EC 56040.3; 34 CFR 300.105)

Students with disabilities who require specialized physical health care services during the regular school day may be assisted by the persons authorized in Education Code 49423.5.

Special education and related services provided in the home or hospital are limited to students who have been identified as students with disabilities and for whom the IEP team recommends such

## INDIVIDUALIZED EDUCATION PROGRAM (continued)

instructions or services. Such services shall be provided in accordance with law, including 5 CCR 3051.4, and Administrative Regulation 6183 - Home and Hospital Instruction.

### Review and Revision of the IEP

The Superintendent or designee shall ensure that the IEP team reviews the IEP periodically, but at least annually, in order to: (EC 56043, 56341.1, 56380; 20 USC 1414; 34 CFR 300.324)

1. Determine whether the annual goals for the student are being achieved
2. Revise the IEP, as appropriate, to address:
    a. Any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate
    b. The results of any reassessment conducted pursuant to Education Code 56381
    c. Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to 34 CFR 300.305 and Education Code 56381
    d. The student's anticipated needs
    e. Any other relevant matter
3. Consider the special factors listed in Items #5-9 above, under "Development of the IEP," when reviewing the IEP of any student with a disability to whom one of those factors may apply

Additionally, the IEP team shall meet at any other time upon request by the student's parent/guardian or teacher to review or revise the IEP. (EC 56343)

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing such a request. (EC 56043, 56343.5)

A regular education or special education teacher may request a review of the classroom assignment of a student with a disability by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days when school is not in session or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction, and/or related services, the Superintendent or designee shall convene an IEP team meeting, which shall be held

## INDIVIDUALIZED EDUCATION PROGRAM (continued)

within 30 days of the Superintendent or designee's review, not counting days when school is not in session or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.

If a participating agency other than the district fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP. (EC 56345.1; 20 USC 1414; 34 CFR 300.324)

If a student with a disability residing in a licensed children's institution or foster family home has been placed by the district in a nonpublic, nonsectarian school, the Superintendent or designee shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs. (EC 56157)

To the extent possible, the Superintendent or designee shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student. (20 USC 1414; 34 CFR 300.324)

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the Superintendent or designee may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. The IEP team shall be informed of any such changes. Upon request, the Superintendent or designee shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (EC 56380.1; 20 USC 1414; 34 CFR 300.324)

### Audio Recording of IEP Team Meetings

Parents/guardians and the Superintendent or designee shall have the right to audio record the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the Superintendent or designee gives notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend because the meeting would be audio recorded, the meeting shall not be audio recorded. Parents/guardians also have the right to: (EC 56341.1)

1. Inspect and review the audio recordings

2. Request that an audio recording be amended if they believe it contains information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights

3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights

## INDIVIDUALIZED EDUCATION PROGRAM (continued)

### Parent/Guardian Participation and Other Rights

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. (EC 56341.5; 34 CFR 300.322)

The Superintendent or designee shall send parents/guardians notices of IEP team meetings that: (EC 56341.5; 34 CFR 300.322)

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform them of:
    a. Their right to bring to the meeting other individuals who have knowledge or special expertise about the student, pursuant to Education Code 56341
    b. The provision of Education Code 56341 relating to the participation of the Infant and Toddlers with Disabilities Coordinator at the initial IEP team meeting, if the student was previously served under Early Education for Individuals with Exceptional Needs (EC 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004)

Additionally, when the IEP team convenes at the start of the student's high school experience, or not later than the first IEP meeting, to develop the IEP of a student with a disability who will be 16 years of age, the Superintendent or designee's notice to the student's parents/guardians shall include the following: (EC 56341.5)

1. An indication that one purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to Education Code 56345.1, 20 USC 1414, and 34 CFR 300.320
2. An indication that the student is invited to the IEP team meeting

At each IEP team meeting convened by the district, the district administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321. (EC 56301, 56500.1)

## INDIVIDUALIZED EDUCATION PROGRAM (continued)

The parent/guardian shall have the right and opportunity to examine all of the student's school records upon request, before any IEP meeting, and in connection with any hearing or resolution session on matters affecting the student, including, but not limited to, initial formal assessment, procedural safeguards, and due process. Upon receipt of an oral or written request, the Superintendent or designee shall provide complete copies of the records within five business days. (EC 56043, 56504)

The parent/guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings that relate to eligibility for special education and related services, recommendations, and program planning. (EC 56341.1)

If neither parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls. (EC 56341.5; 20 USC 1414; 34 CFR 300.322)

An IEP team meeting may be conducted without a parent/guardian in attendance if the Superintendent or designee is unable to convince the parent/guardian to attend. In such a case, the Superintendent or designee shall maintain a record of the attempts to arrange a mutually agreed upon time and place for the meeting, including: (EC 56341.5; 34 CFR 300.322)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

The Superintendent or designee shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English. (EC 56341.5; 34 CFR 300.322)

The Superintendent or designee shall give the parents/guardians of a student with a disability a copy of the IEP at no cost. (EC 56341.5; 34 CFR 300.322)

### Parent/Guardian Consent for Provision of Special Education and Services

Before providing special education and related services to any student pursuant to 20 USC 1414, the Superintendent or designee shall seek to obtain informed consent of the student's parent/guardian. (EC 56346)

## INDIVIDUALIZED EDUCATION PROGRAM (continued)

If the parent/guardian fails to respond or refuses to consent to the initiation of services, the district shall not use the due process hearing procedures pursuant to 20 USC 1415 to obtain agreement or a ruling that the services may be provided to the student. In such circumstances, the district shall not be required to convene an IEP team or develop an IEP for the student. (EC 56346)

If the parent/guardian consents in writing to the receipt of special education and related services for the student but does not consent to all the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. If the Superintendent or designee determines that a part of a proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student with FAPE, a due process hearing shall be initiated in accordance with 20 USC 1415. While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and the Superintendent or designee agree otherwise. (EC 56346)

If at any time subsequent to the initial provision of services, the student's parent/guardian, in writing, revokes consent for the continued provision of special education services, the Superintendent or designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student. The Superintendent or designee shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student. (EC 56346; 34 CFR 300.300, 300.503)

Prior to the discontinuation of services, the Superintendent or designee may offer to meet with the parents/guardians to discuss concerns for the student's education. However, this meeting shall be voluntary on the part of the parent/guardian and shall not delay the implementation of the parent/guardian's request for discontinuation of services.

When the district ceases to provide special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student.

### Transfer Students

To facilitate the transition of a student with a disability who is transferring into the district, the Superintendent or designee shall take reasonable steps to promptly obtain the student's records, including the IEP and the supporting documents related to the provision of special education services. The district shall accept unofficial records provided by the student's parent/guardian pending validation by the official records, consistent with the requirements of the Interstate Compact on Educational Opportunity for Military Children. (EC 56325; 34 CFR 300.323)

If the student transfers into the district from another school district within the same Special Education Local Plan Area (SELPA) during the school year, the district shall continue to provide

**INDIVIDUALIZED EDUCATION PROGRAM (continued)**

services comparable to those described in the student's existing IEP, unless the student's parent/guardian and the district agree to develop, adopt, and implement a new IEP that is consistent with state and federal law. (EC 56325; 34 CFR 300.323)

If the student transfers into the district from a school district outside of the district's SELPA during the school year, the district shall provide the student with FAPE, including services comparable to those described in the previous district's IEP in consultation with the student's parent/guardian, for a period not to exceed 30 days. By the end of that period, the district shall either adopt the previous district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law. (EC 56325; 34 CFR 300.323)

If the student transfers into the district within the same academic year from outside the state, within the state, or from district to district within the same SELPA, within 30 days of receipt of official records or specified unofficial records, the Superintendent or designee shall either adopt and implement the IEP previously adopted for the student or develop, adopt, and implement a new IEP for the student that is consistent with federal and state law, as applicable. For students transferring into the district from outside the state, the district may conduct a full and individual initial assessment pursuant to 20 USC 1414 when such assessment is necessary to develop an IEP that is consistent with federal and state law. (EC 56325)

Date Adopted: January 9, 2008

Date Revised: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6159.1**

## PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

The Governing Board recognizes its obligation to provide a free appropriate public education (FAPE) to students with disabilities and to uphold the right of parents/guardians to be involved in educational decisions regarding their child. Students with disabilities and the parents/guardians of such students shall receive written notice of their rights under the federal individuals with Disabilities education act.

Whenever there is a dispute between the district and the parent/guardian of a student with disabilities regarding the identification, assessment, or educational placement of the student or the provision of FAPE to the student, the Superintendent or designee shall encourage the early, informal resolution of the dispute at the school level to the extent possible. Additionally, the district or parent/guardian may request mediation and/or a due process hearing in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall represent the district in any due process hearing conducted with regard to district students and shall inform the Board about the result of the hearing

A complaint alleging the district's noncompliance with federal or state laws or regulations related to the provision of a free appropriate public education to students with disabilities shall be filed in accordance with 5 CCR 3200-3205.

Date Adopted: January 9, 2008

Date Revised: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6159.1**

## PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

### Prior Written Notice

The Superintendent or designee shall send to the parents/guardians of any student with disabilities a prior written notice: (EC 56346, 56500.4, 56500.5; 20 USC 1415; 34 CFR 300.102, 300.300, 300.503)

1. Before the district initially refers the student for assessment

2. Within a reasonable time before the district proposes to initiate or change the student's identification, assessment, educational placement, or the provision of a free appropriate public education (FAPE) to the student

3. Within a reasonable time before the district refuses to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student

4. Within a reasonable time before the student graduates from high school with a regular diploma thus resulting in a change in placement

5. Upon receipt of the parent/guardian's written revocation of consent for the continued provision of special education and related services to the student

This prior written notice shall include: (EC 56500.4; 20 USC 1415; 34 CFR 300.503)

1. A description of the action proposed or refused by the district

2. An explanation as to why the district proposes or refuses to take the action

3. A description of each assessment procedure, assessment, record, or report the district used as a basis for the proposed or refused action

4. A statement that the parents/guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for assessment, the means by which a copy of the description of procedural safeguards can be obtained

5. Sources for parents/guardians to obtain assistance in understanding these provisions

**PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)**

6. A description of any other options that the individualized education program (IEP) team considered and why those options were rejected

7. A description of any other factors relevant to the district's proposal or refusal

**Procedural Safeguards Notice**

A procedural safeguards notice shall be made available to students with disabilities and each of their parents/guardians once each school year and: (EC 56301; 20 USC 1415; 34 CFR 300.504)

1. Upon initial referral or parent/guardian request for assessment

2. Upon receipt of the first state compliance complaint in a school year, filed in accordance with "State Compliance Complaints," below

3. Upon receipt of the first due process hearing request in a school year

4. In accordance with the discipline procedures pursuant to 34 CFR 300.530(h), when removal of a student because of a violation of a code of conduct constitutes a change of placement

5. Upon request by a parent/guardian or student with disabilities

The procedural safeguards notice shall include a full explanation of the procedural safeguards available under 34 CFR 300.148, 300.151-300.153, 300.300, 300.502-300.503, 300.505-300.518, 300.520, 300.530-300.536, and 300.610-300.625 relating to: (EC 56301; 20 USC 1415; 34 CFR 300.504)

1. Independent educational evaluation

2. Prior written notice

3. Parental consent, including a parent/guardian's right to revoke consent, in writing, to the student's continued receipt of special education and related services

4. Access to educational records

**PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)**

5. Opportunity to present complaints and resolve complaints through the due process complaint and state compliance complaint procedures, including the time period in which to file a complaint, the opportunity for the district to resolve the complaint, and the difference between a due process complaint and the state compliance complaint procedures, including the jurisdiction of each procedure, issues that may be raised, filing and decisional timelines, and relevant procedures

6. The availability of mediation

7. The student's placement during the pendency of any due process complaint

8. Procedures for students who are subject to placement in an interim alternative educational setting

9. Requirements for unilateral placement by parents/guardians of students in private schools at public expense

10. Hearings on due process complaints, including requirements for disclosure of assessment results and recommendations

11. State-level appeals

12. Civil actions, including the time period in which to file those actions

13. Availability of attorneys' fees pursuant to 34 CFR 300.517

Additionally, this notice shall include the rights and procedures contained in Education Code 56500-56509, including: (EC 56321, 56321.5, 56321.6)

1. Information on the procedures for requesting an informal meeting, prehearing mediation conference, mediation conference, or due process hearing

2. The timelines for completing each process

3. Whether the process is optional

4. The type of representative who may be invited to participate

**PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)**

5. The right of the parent/guardian and/or the district to electronically record the proceedings of IEP meetings in accordance with Education Code 56341.1

6. Information regarding the state special schools for students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind

A copy of this notice shall be attached to the student's assessment plan. At each IEP meeting, the Superintendent or designee shall inform the parent/guardian of the federal and state procedural safeguards that were provided in the notice. (EC 56321, 56500.1)

**Format of Parent/Guardian Notices**

The parents/guardians of a student with a disability shall be provided written notice of their rights in language easily understood by the general public and in their native language or other mode of communication used by them, unless to do so is clearly not feasible. (EC 56341, 56506; 34 CFR 300.503, 300.504)

If the native language or other mode of communication of the parent/guardian is not a written language, the district shall take steps to ensure that the notice is translated orally or by other means in the parent/guardian's native language or other mode of communication and that the parent/guardian understands the contents of the notice. (34 CFR 300.503)

The district may place a copy of the procedural safeguards notice on the district's website. (20 USC 1415)

A parent/guardian of a student with disabilities may elect to receive the prior written notice or procedural safeguards notice by electronic mail communication. (34 CFR 300.505)

A student with disabilities may elect to receive the procedural safeguards notice by electronic mail communication.

**Filing Due Process Complaints**

A parent/guardian and/or the district may initiate due process hearing procedures whenever: (EC 56501; 20 USC 1415)

**PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)**

1. There is a proposal to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student

2. There is a refusal to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student

3. The parent/guardian refuses to consent to an assessment of the student

4. There is a disagreement between a parent/guardian and the district regarding the availability of a program appropriate for the student, including the question of financial responsibility, as specified in 34 CFR 300.148

Prior to having a due process hearing, the party requesting the hearing, or the party's attorney, shall provide the opposing party a due process complaint, which shall remain confidential, specifying: (EC 56502; 20 USC 1415; 34 CFR 300.508)

1. The student's name

2. The student's address or, in the case of a student identified as homeless pursuant to 42 USC 11434, available contact information for that student

3. The name of the school the student attends

4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem

5. A proposed resolution to the problem to the extent known and available to the complaining party at the time

Parties filing a due process complaint shall file their request with the California Office of Administrative Hearings, Special Education Division.

The request shall be filed within two years from the date the party initiating the request knew or had reason to know of the facts underlying the basis for the request. This timeline shall not apply if the district misrepresented that it had solved the problem or withheld required information from the parent/guardian. (EC 56505; 20 USC 1415; 34 CFR 300.507, 300.511)

**District's Response to Due Process Complaints**

**INSTRUCTION** **AR 6159.1**

**PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)**

If the district has sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, the district shall, within 10 days of receipt of the complaint, send a response specifically addressing the issues in the complaint. (20 USC 1415; 34 CFR 300.508)

If the district has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint, the district shall send a response to the parent/guardian within 10 days of receipt of the complaint containing: (20 USC 1415; 34 CFR 300.508):

1. An explanation of why the district proposed or refused to take the action raised in the complaint

2. A description of other options that the IEP team considered and the reasons that those options were rejected

3. A description of each assessment procedure, assessment, record, or report the district used as the basis for the proposed or refused action

4. A description of the factors that are relevant to the district's proposal or refusal

Upon the filing of a due process complaint by either party or upon request of the parent/guardian, the district shall inform the parent/guardian of any free or low-cost legal and other relevant services available in the area. (34 CFR 300.507)

**Informal Process/Pre-Hearing Mediation Conference**

Prior to or upon initiating a due process hearing, the Superintendent or designee and a parent/guardian may, if the party initiating the hearing so chooses, agree to meet informally to resolve any issue(s) relating to the identification, assessment, education and placement, or provision of FAPE for a student with disabilities. The Superintendent or designee shall have the authority to resolve the issue(s). (EC 56502)

Additionally, either party may file a request with the state Office of Administrative Hearings for a mediation conference. (EC 56500.3)

If resolution is reached that resolves the due process issue(s), the parties shall enter into a legally binding agreement that satisfies the requirements of Education Code 56500.3. (EC 56500.3)

## PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)

Attorneys may attend or otherwise participate only in those mediation conferences that are scheduled after the filing of a request for due process hearing. (EC 56500.3, 56501)

### State Compliance Complaints

Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization may file with the California Department of Education (CDE) a written and signed statement alleging that, within the previous year, any of the following occurred: (5 CCR 3200, 3201)

1. The district violated Part B of the Individuals with Disabilities Education Act (20 USC 1411-1419) and its implementing regulations (34 CFR 300.1-300.818)

2. The district violated Part 30 of the Education Code (EC 56000-56865) and 5 CCR 3200-3205

3. The district violated the terms of a settlement agreement related to the provision of FAPE, excluding any allegation related to an attorney fees provision in a settlement agreement

4. The district failed or refused to implement a due process hearing order to which the district is subject

5. Physical safety concerns interfered with the provision of FAPE

The complaint shall include: (5 CCR 3202; 34 CFR 300.153)

1. A statement that the district has violated or failed to comply with any provision set forth in 5 CCR 3201

2. The facts on which the statement is based

3. The signature and contact information for the complainant

4. If alleging violations with respect to a specific student, the student's name and address (or other available contact information for a homeless student), the name of the school that the student is attending, a description of the nature of the student's problem and facts related

to the problem, and a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed

The complainant shall forward a copy of the complaint to the Superintendent or designee at the same time the complaint is filed with CDE. (5 CCR 3202)

Within 30 days of the date of CDE's investigation report, the district or complainant may request reconsideration of the decision in accordance with 5 CCR 3204. Pending CDE's response, any corrective actions set forth in the report shall remain in effect and enforceable, unless stayed by a court. (5 CCR 3204)

Date Adopted: January 9, 2008

Date Revised: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6159.2**

## NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

The Governing Board recognizes its responsibility to provide a free appropriate public education to students with disabilities in accordance with law. When the district is unable to provide direct special education and/or related services to students with disabilities, the Board may enter into a contract with a nonpublic, nonsectarian school or agency (NPS/A) to meet student needs consistent with the comprehensive local plan of the Special Education Local Plan Area.

Prior to entering into a contract to place any student in an NPS/A, the Superintendent or designee shall verify that the school or agency is certified to provide special education and related services to individuals with disabilities and complies with staff training requirements in accordance with Education Code 56366 and 56366.1.

Additionally, the Superintendent or designee, such as the district's liaison for foster youth, shall verify that for any student served by an NPS/A who is a foster youth, the NPS/A agrees to serve as the school of origin of the foster youth and allow the foster youth to continue the foster youth's education in the NPS/A in accordance with Education Code 56366.1.

The Superintendent or designee shall monitor, on an ongoing basis, the certification of any NPS/A with which the district has a contract to ensure that the certification has not expired.

Within 14 days of becoming aware of any change to the certification status of an NPS/A, including, but not limited to, receiving notification of a determination to suspend or revoke the certification of the NPS/A pursuant to Education Code 56366.4, the district shall notify, through email or regular mail, the parents/guardians of any district student who attends the NPS/A of the change in certification status, which includes a copy of procedural safeguards. The district shall maintain a record of such notice and make the notice available for inspection upon request by the California Department of Education. (EC 56366.45)

No district student with disabilities shall be referred to, or placed in, an NPS/A unless the student's individualized education program (IEP) team has determined that the placement is appropriate for the student. (EC 56342.1)

The district shall pay to the NPS/A the full amount of the tuition or fees, as applicable, for students with disabilities who are enrolled in programs or receiving services provided by the NPS/A pursuant to the contract. (EC 56365)

## NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

In accordance with law, any student with disabilities placed in an NPS/A shall have all the rights and protections to which students with disabilities are generally entitled, including, but not limited to, procedural safeguards, due process rights, and periodic review of the student's IEP.

During the period when any student with disabilities is placed in an NPS/A, the student's IEP team shall retain responsibility for monitoring the student's progress towards meeting the goals identified in the IEP.

The Superintendent or designee shall ensure that any contract with an NPS/A contains a requirement for the NPS/A to comply with district policy, procedures, and practices related to student rights, health, and safety, including the use of seclusion and restraint. All NPS/A staff that serve district students shall be made aware of, and trained in such policies, procedures, and practices.

The Superintendent or designee shall notify the Board prior to approving an out-of-state placement for any district student.

The Superintendent or designee may apply to the Superintendent of Public Instruction to waive any of the requirements of Education Code 56365, 56366, and 56366.6. (EC 56366.2)

Date Adopted: September 3, 2025
Date Revised: October 7, 2026

**INSTRUCTION** **AR 6159.2**

# NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

## Master Contract

Every master contract between the district and a nonpublic, nonsectarian school or agency (NPS/A) shall specify the general administrative and financial agreements for providing special education and designated instruction and services. The master contract shall be for a term not to exceed one year and shall be renegotiated prior to June 30. Provisions of the contract shall include, but not be limited to: (EC 56366; 5 CCR 3062)

1. Student-teacher ratios

2. Transportation specified in a student's individualized education program (IEP)

   The contract shall not include special education transportation provided through the use of services or equipment owned, leased, or contracted by the district for students enrolled in the NPS/A unless provided directly or subcontracted by that NPS/A.

3. Procedures for recordkeeping and documentation

4. The maintenance of school records by the district to ensure that appropriate high school graduation credit is received by any participating student

5. An individual services agreement for each student, which will be negotiated for the length of time for which NPS/A special education and designated instruction and services are specified in the student's IEP

6. A description of the process to be utilized by the district to oversee and evaluate placements in the NPS/A, including a method for evaluating whether each student is making appropriate educational progress

7. Procedures and responsibilities for attendance and unexcused absences

8. General provisions related to modifications and amendments to the contract, waivers, disputes, contractor's status, conflicts of interest, termination, inspection and audits, compliance with applicable state and federal laws and regulations, and indemnification and insurance requirements

9. Payment schedules, including, but not limited to, payment amounts, payment demand, right to withhold, and audit exceptions

## NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

The contract may allow for partial or full-time attendance at the NPS/A. (EC 56366)

With mutual agreement of the district and NPS/A, changes may be made to the administrative and financial agreements in the master contract at any time, provided the change does not alter a student's educational instruction, services, or placement as outlined in the student's individual services agreement. (EC 56366)

The master contract or individual services agreement may be terminated for cause if either party gives 20 days' notice. However, the availability of a public education program initiated during the period of the contract shall not give cause for termination unless the parent/guardian agrees to transfer the student to the program. (EC 56366)

### Placement and Services

For any student to be placed in an NPS/A, the Superintendent or designee shall develop an individual services agreement based on the student's IEP. Each individual services agreement shall specify the length of time authorized in the student's IEP for the NPS/A services, not to exceed one year. Changes in a student's educational instruction, services, or placement shall be made only on the basis of revisions to the student's IEP. (EC 56366)

At least once each year, the district shall: (EC 56366)

1. Evaluate the educational progress of each student placed in an NPS/A, including a review of state assessment results

2. During the annual meeting held to review the student's IEP pursuant to Education Code 56343, consider whether the student's needs continue to be best met at the NPS/A and whether changes to the student's IEP are necessary, including whether the student may be transitioned to a public school setting

Prior to the annual review of a student's IEP, the Superintendent or designee shall notify any high school district to which the student may transfer of the student's enrollment in an NPS/A. (5 CCR 3069)

When a special education student meets the district requirements for completion of the prescribed course of study as designated in the student's IEP, the district shall award the student a diploma of graduation. (5 CCR 3070)

## NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

However, a student with disabilities who entered the ninth grade in the 2022-23 school year or later shall be exempted from all coursework and other requirements adopted by the Governing Board that are in addition to the statewide course requirements for high school graduation, if the student's IEP meets the criteria specified in law and Board Policy 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities. (EC 51225.31)

Additionally, the Superintendent or designee may, until July 1, 2031, exempt a student with disabilities who was enrolled in grade 10 or higher in the 2022-23 school year from all coursework and other requirements adopted by the Board that are in addition to the statewide course requirements for high school graduation if the student meets the eligibility criteria specified in Education Code 51225.32.

### Out-of-State Placements

Before contracting with an NPS/A outside California, the Superintendent or designee shall document the district's efforts to use public schools and/or to find an appropriate program offered by an NPS/A within California. (EC 56365)

Within 15 days of any decision for an out-of-state placement, the student's IEP team shall submit to the Superintendent of Public Instruction (SPI) a report with information about the services provided by the out-of-state program, the costs of the special education and related services provided, and the district's efforts to locate an appropriate public school or NPS/A within California. (EC 56365)

If the district decides to place a student with an NPS/A out-of-state, the district shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the student to California. (EC 56365)

For an NPS/A located outside of California, the district may request the SPI to make available information and documentation relating to the NPS/A's certification status, if available. The district shall disclose the information received, if available, to parent(s)/guardian(s) at the time the IEP considers placement of the student in an out-of-state NPS/A. (EC 56366.1)

### On-Site Visits

**INSTRUCTION** **AR 6159.2**

## NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

The Superintendent or designee shall conduct an on-site visit to an NPS/A before the placement of a student at the NPS/A if the district does not have any other students currently enrolled at the NPS/A. (EC 56366.1)

At least once per year, the Superintendent or designee shall conduct an on-site monitoring visit to each NPS/A at which the district has a student attending and with which it maintains a master contract. The monitoring visit shall include, but is not limited to: (EC 56366.1)

1. A review of services provided to the student through the individual services agreement
2. A review of progress the student is making toward the goals set forth in the student's IEP
3. A review of progress the student is making toward the goals set forth in the student's behavioral intervention plan, if applicable
4. An observation of the student during instruction
5. A walkthrough of the facility
6. For a student placed in an NPS/A located outside of California, an in-person interview with the student to evaluate the student's health and safety.

The district shall report the findings resulting from the monitoring visit to the California Department of Education, using the "Local Educational Agency Onsite Visit for Nonpublic School" form, within 60 calendar days of the on-site visit. (EC 56366.1)

Additionally, the district shall conduct quarterly check-ins with any student attending an out-of-state NPS/A through an unmonitored telephone call in a manner consistent with the student's IEP. (EC 56366.1)

Date Adopted: September 3, 2025
Date Revised: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6159.4**

# BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

Generally, any student identified as a student with a disability pursuant to the Individuals with Disabilities Education Act, 20 USC 1400-1482, is subject to the same disciplinary measures applicable to all students for violations of the code of conduct, except when the student's behavior is determined to be a manifestation of the student's disability.

However, when the behavior of a student with a disability impedes the student's learning or the learning of others, the student's individualized education program (IEP) team shall consider the use of positive behavioral interventions and supports and other strategies consistent with 20 USC 1414(d) to address the student's behavior. (EC 56521.2; 34 CFR 300.324)

If, pursuant to a manifestation determination conducted as specified in 34 CFR 300.530, the student's behavior is determined to be a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment (FBA) and implement a behavioral intervention plan (BIP) for the student. If a BIP is already in place for the student, the IEP team shall review and modify the BIP to address the student's behavior. (EC 56520; 34 CFR 300.324, 300.530)

In addition, when the disciplinary removal of a student with a disability will result in a change in the student's placement as specified in 34 CFR 300.530, the student shall receive an FBA and behavioral intervention services and modifications designed to address the student's behavior so that it does not recur. (34 CFR 300.530)

## Functional Behavioral Assessment

Any FBA to be conducted for a student with a disability shall focus on identifying the function or purpose of the student's behavior.

Before any FBA is conducted, the Superintendent or designee shall notify the student's parent/guardian in accordance with Education Code 56321 and obtain the parent/guardian's consent. (EC 56321; 34 CFR 300.324)

If the parent/guardian disagrees with the result of an FBA, the parent/guardian has the right to obtain an independent educational evaluation at district expense, subject to the conditions specified in 34 CFR 300.502.

## Behavioral Intervention Plan and Services

When any behavioral intervention, support, or other strategy is to be used by the district, the Superintendent or designee shall consider the student's physical freedom and social interaction, administer the intervention, support, or other strategy in a manner that respects the student's dignity and personal privacy, and ensure the student's right to be placed in the least restrictive educational

## BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS (continued)

environment. (EC 56520)

When a student for whom a BIP is to be developed is also the responsibility of another agency for residential care or related services, the Superintendent or designee shall cooperate with the other agency to ensure that the BIP, to the extent possible, is developed and implemented in a consistent manner. (EC 56520)

Behavior assessments and behavioral intervention services shall be provided only by individuals who possess the qualifications specified in Education Code 56525 or 5 CCR 3051.23.

### Emergency Interventions

Emergency interventions may be used only to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the student or others and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. Emergency interventions shall not be used as a substitute for a systematic BIP that is designed to change, replace, modify, or eliminate a targeted behavior. (EC 56521.1)

No emergency intervention shall be used for longer than is necessary to contain the behavior. For any situation that requires a prolonged use of an emergency intervention, staff shall seek assistance of the principal or law enforcement agency, as applicable to the situation. (EC 56521.1)

Emergency interventions shall not involve the use of force exceeding what is reasonable and necessary under the circumstances. In addition, use of locked seclusion, prone restraint, or a device, material, or objects that simultaneously immobilize all hands and feet shall not be allowed except as allowed authorized by law. (EC 56521.1)

Parents/guardians and, if appropriate, residential care providers shall be notified within one school day whenever emergency intervention is used or serious property damage occurs. A behavior emergency report shall immediately be completed, kept in the student's file, and forwarded to the Superintendent or designee for review. This report shall include all of the following information: (EC 56521.1)

1. The name and age of the student

2. The setting and location of the incident

## BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS (continued)

3. The name of the staff or other persons involved

4. A description of the incident and the emergency intervention used

5. A statement of whether the student is currently engaged in a systematic BIP

6. Details of any injuries sustained by the student or others, including staff, as a result of the incident

If the behavior emergency report is for a student who does not have a BIP, the Superintendent or designee shall, within two days, schedule an IEP team meeting to review the emergency report, determine the necessity for an FBA, and determine the necessity for an interim BIP. The IEP team shall document the reasons for not conducting the FBA and/or not developing the interim BIP. (EC 56521.1)

If the behavior emergency report is for a student who has a BIP, any incident involving a previously unseen serious behavior problem or where a previously designed intervention is not effective shall be referred to the IEP team. The IEP team shall review the incident and determine whether the student's plan needs to be modified. (EC 56521.1)

The Superintendent or designee shall annually collect data on the number of times that seclusion, mechanical restraint, and physical restraint were used on students and the number of students subjected to such techniques. The data shall be disaggregated by race/ethnicity and gender, and reported for students with a Section 504 plan, students with an IEP, and all other students. This report shall be posted on the district's website and submitted to the California Department of Education no later than three months after the end of each school year and shall be available as a public record pursuant to Government Code 7920.000-7930.215. (EC 49006)

### Prohibited Interventions

The district prohibits the use of corporal punishment as defined in Education Code 49001 as an intervention. In addition, the district prohibits all of the following: (EC 56521.2)

1. Any intervention designed or likely to cause physical pain, including, but not limited to, electric shock

2. Any intervention that involves the release of noxious, toxic, or otherwise unpleasant sprays, mists, or substances near the student's face

**INSTRUCTION** **AR 6159.4**

## BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS (continued)

3. Any intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities

4. Any intervention that is designed to subject, used to subject, or likely to subject the student to verbal abuse, ridicule, or humiliation or that can be expected to cause excessive emotional trauma

5. Any restrictive intervention that uses a device, material, or objects which simultaneously immobilize all hands and feet, including the procedure known as prone containment

6. Prone restraint

7. Locked seclusion, unless in a facility otherwise licensed or permitted by state law to use a locked room

8. Any intervention that precludes adequate supervision of the student

9. Any intervention that deprives the student of one or more of the student's senses

Date Adopted: September 3, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6161.1**

## SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect society's diversity, and enhance the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and that the materials meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with academic content standards and the district's curriculum to ensure that they effectively support the district's adopted courses of study.
(cf. 0440 - District Technology Plan)
(cf. 6000 - Concepts and Roles)
(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6162.5 - Student Assessment)
(cf. 6163.1 - Library Media Centers)

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or have otherwise been determined to be aligned with the state academic content standards adopted pursuant to Education Code 60605 or the Common Core State Standards adopted pursuant to Education Code 60605.8. (EC 60200, 60210)

The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and administrative regulation. (EC 60400)

Review Process

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. Toward that end, he/she may establish an instructional materials review committee to evaluate and recommend instructional materials.
(cf. 1220 - Citizen Advisory Committees)

The review process shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members. (EC 60002)
(cf. 6020 - Parent Involvement)

In addition, the instructional materials review committee may include administrators, other staff who have subject-matter expertise, and students as appropriate.

## SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

If the district chooses to use instructional materials for grades K-8 that have not been adopted by the SBE, the Superintendent or designee shall ensure that a majority of the participants in the district's review process are classroom teachers who are assigned to the subject area or grade level of the materials. (EC 60210)

Individuals who participate in the selection or review of instructional materials shall not have a conflict of interest, as defined in administrative regulation, in the materials being reviewed.
(cf. 9270 - Conflict of Interest)

The committee shall review instructional materials using criteria provided in law and administrative regulation, and shall provide the Board with documentation supporting its recommendations.

All recommended instructional materials shall be available for public inspection at the district office.
(cf. 5020 - Parent Rights and Responsibilities)

The district may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

Public Hearing on Sufficiency of Instructional Materials

The Board shall annually conduct one or more public hearings on the sufficiency of the district's textbooks and other instructional materials. (EC 60119)

The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year. (EC 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (EC 60119)
(cf. 9322 - Agenda/Meeting Materials)

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks or instructional materials which are aligned to the state content standards adopted pursuant to Education Code 60605 or the Common Core State Standards adopted pursuant to Education Code 60605.8 and which are consistent with the content and cycles of the state's curriculum frameworks. Sufficiency of instructional materials shall be determined in each of the following subjects: (EC 60119)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

1. Mathematics
   (cf. 6142.92 - Mathematics Instruction)

2. Science
   (cf. 6142.93 - Science Instruction)

3. History-social science
   (cf. 6142.94 - History-Social Science Instruction)

4. English language arts, including the English language development component of an adopted program
   (cf. 6142.91 - English/Language Arts Instruction)
   (cf. 6174 - Education for English Learners)

5. World/foreign language
   (cf. 6142.2 - World/Foreign Language Instruction)

6. Health
   (cf. 6142.8 - Comprehensive Health Education)

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (EC 60119)

In making these determinations, the Board shall consider whether each student has sufficient textbooks and/or instructional materials to use in class and to take home. However, this does not require that each student have two sets of materials. The materials may be in a digital format as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district and has the ability to use and access them at home. However, the materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (EC 60119)

If the Board determines that there are insufficient textbooks or instructional materials, it shall provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks or instructional materials. The Board shall take any action, except an action that would require reimbursement by the Commission of State Mandates, to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (EC 60119)

## SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

The degree to which every student has sufficient access to standards-aligned instructional materials shall be included in the district's local control and accountability plan. (EC 52060)
(cf. 0460 - Local Control and Accountability Plan)

### Complaints

Complaints concerning instructional materials shall be handled in accordance with law, Board policy, and administrative regulation.
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)

### Legal Reference:

EDUCATION CODE
220 Prohibition against discrimination
1240 County superintendent, general duties
33050-33053 General waiver authority
33126 School accountability report card
35272 Education and athletic materials
44805 Enforcement of course of studies; use of textbooks, rules and regulations
49415 Maximum textbook weight
51501 Nondiscriminatory subject matter
52060-52077 Local control and accountability plan
60000-60005 Instructional materials, legislative intent
60010 Definitions
60040-60052 Instructional requirements and materials
60060-60063.5 Requirements for publishers and manufacturers
60070-60076 Prohibited acts (re instructional materials)
60110-60115 Instructional materials on alcohol and drug education
60119 Public hearing on sufficiency of materials
60200-60210 Elementary school materials
60226 Requirements for publishers and manufacturers
60350-60352 Core reading program instructional materials
60400-60411 High school textbooks
60510-60511 Donation for sale of obsolete instructional materials
60605 State content standards
60605.8 Common Core State Standards
60605.86-60605.88 Supplemental instructional materials aligned with Common Core State Standards
CODE OF REGULATIONS, TITLE 5
9505-9530 Instructional materials

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Instructional Materials FAQ
01-05 Guidelines for Piloting Textbooks and Instructional Materials, rev. January 2015
Standards for Evaluating Instructional Materials for Social Content, 2013
WEB SITES
CSBA: http://www.csba.org
Association of American Publishers: http://www.publishers.org
California Academic Content Standards Commission, Common Core State Standards: http://www.scoe.net/castandards
California Department of Education: http://www.cde.ca.gov

(11/11 11/12) 7/17

Date Adopted: February 2, 2005

Date Revised: August 7, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6161.1**

## SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

Criteria for Selection and Adoption of Instructional Materials

In recommending textbooks or other instructional materials for adoption by the Governing Board, the Superintendent or designee shall ensure that such materials:

1. Are aligned to any applicable academic content standards adopted by the State Board of Education (SBE) pursuant to EC 60605 and/or Common Core Standards adopted pursuant to EC 60605.8
   (cf. 6011 - Academic Standards)

   For grades K-8, the Superintendent or designee shall select instructional materials from among the list of materials adopted by the SBE and/or other materials that have not been adopted by the SBE but are aligned with the state academic content standards and/or the Common Core Standards. (EC 60200, 60210)
   (cf. 6161.11 - Supplementary Instructional Materials)

   For grades 9-12, the Superintendent or designee shall review instructional materials in history-social science, mathematics, English/language arts, and science using a standards map in order to determine the extent to which the materials are aligned to state academic content standards.

2. For grades 9-12, are provided by publishers that comply with the requirements of EC 60040-60052, 60060-60062, and 60226 (EC 60400)

3. Do not reflect adversely upon persons because of their race or ethnicity, gender, religion, disability, nationality, sexual orientation, occupation, or other characteristic listed in EC 220, nor contain any sectarian or denominational doctrine or propaganda contrary to law (EC 51501, 60044) (cf. 0410 - Nondiscrimination in District Programs and Activities)

4. To the satisfaction of the Board, are accurate, objective, current, and suited to the needs and comprehension of district students at their respective grade levels (EC 60045)

5. With the exception of literature and trade books, use proper grammar and spelling (EC 60045)

6. Do not expose students to a commercial brand name, product, or corporate or company logo unless the Board makes a specific finding that the use is appropriate based on one of the following: (EC 60048, 60200)

   a. The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by the SBE.

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

b. The appearance of a commercial brand name, product, or corporate or company logo in an illustration is incidental to the general nature of the illustration.
(cf. 1325 - Advertising and Promotion)

7. If the materials are technology-based materials, are both available and comparable to other, equivalent instructional materials (EC 60052)

8. Meet the requirements of EC 60040-60043 for specific subject content

(11/10 11/11) 11/12
Date Adopted: February 2, 2005
Date revised: August 7, 2019

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6162.51**

## STATE ACADEMIC ACHIEVEMENT TESTS

The Superintendent or designee shall administer the California Assessment of Student Performance and Progress (CAASPP) to all district students at applicable grade levels, except those students exempted by law.

The students of any charter school that receives its state funding allocation through the district shall be tested in coordination with the testing of district students. In addition, the Superintendent or designee shall arrange for the testing of students in any alternative education program or program conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or nonpublic, nonsectarian schools. No test shall be administered in a home or hospital except by a test administrator or test examiner. (5 CCR 851)
(cf. 0420.4 - Charter School Authorization)
(cf. 0420.41 - Charter School Oversight)
(cf. 6158 - Independent Study)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

On or before July 1 of each year, the Superintendent or designee shall identify any district school(s) with students who are unable to access the computer-based assessment of a CAASPP test and shall report the number of such students to the test contractor. If available, a paper and pencil version of the assessment may be administered to such students. (5 CCR 853, 857)

On or before July 1 of each year, the Superintendent or designee shall designate a district coordinator who shall oversee all matters related to the testing program and serve as the district representative and liaison with the test contractor and the California Department of Education (CDE). The Superintendent or designee shall also designate a coordinator for each test site. The duties of the district and site test coordinators shall include those specified in 5 CCR 857-858. (5 CCR 857-858)

The Superintendent or designee also shall appoint trained test administrator(s) to administer the CAASPP achievement tests and test examiner(s) to administer the California Alternate Assessments. A test examiner shall be a certificated or licensed employee of the district or county office of education. (5 CCR 850)
(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

As appropriate, the Superintendent or designee shall assign a specially trained district employee to serve as a test proctor to assist the test examiner; a specially trained district employee, or other person supervised by a district employee, to serve as a translator to translate the test directions into a student's primary language; and a district employee to serve as a scribe to transcribe a student's

**STATE ACADEMIC ACHIEVEMENT TESTS (continued)**

responses to the format required by the test. A student's parent/guardian or sibling shall not be eligible to be that student's translator or scribe. (5 CCR 850)

All test administrators, test examiners, proctors, translators, scribes, district and site test coordinators, and other persons having access to any of the CAASPP achievement tests and corresponding test materials, assessment technology platform, or tests administered pursuant to Education Code 60640 shall acknowledge the limited purpose of their access to the achievement tests by signing a test security affidavit. In addition, all district and site test coordinators shall sign a test security agreement before receiving any CAASPP achievement tests and corresponding test materials. The test security affidavit and test security agreement shall be those set forth in 5 CCR 859. (5 CCR 850, 859)

Tests Included in the State Assessment System

The district shall administer the following CAASPP assessments: (EC 60640; 5 CCR 851.5)

1. The CAASPP achievement tests for English language arts and mathematics in grades 3-8 and 11, except that:

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)

   a. Recently arrived English learners, defined pursuant to Education Code 60603 as English learners who are in their first 12 months of attending a school in the United States, shall be exempted from taking the English language arts assessment to the extent allowed by federal law. A recently arrived English learner may be administered the test upon request by his/her parent/guardian.

   (cf. 6174 - Education for English Language Learners)

   b. Students with disabilities who are unable to participate in the English language arts and mathematics assessments, even with the resources described in the section "Testing Variations" below, shall be provided an alternate test when designated in their individualized education program (IEP), as provided in item #3 below.

   (cf. 6159 - Individualized Education Program)
   (cf. 6164.6 - Identification and Education Under Section 504)

2. Science assessments at grades 5, 8, and 10

However, students with disabilities who are unable to participate in the science assessments, even with the resources described in the "Testing Variations" section below, shall be provided an alternate test when designated in their IEP, as provided in item #3 below.
(cf. 6142.93 - Science Instruction)

**STATE ACADEMIC ACHIEVEMENT TESTS (continued)**

3. For students with disabilities who are unable to take the tests specified in items #1-2 above, even with appropriate accommodations or other testing resources, and who have an IEP that designates the use of alternate tests at the applicable grade levels:

   a. California Alternate Assessment in English language arts and mathematics for students with significant cognitive disabilities

   b. For the science assessment, either the California Modified Assessment or, for students with significant cognitive disabilities, the California Alternate Performance Assessment

In addition, the Superintendent or designee may administer a primary language assessment to English learners. Administration of this test shall not replace the administration of the above tests, administered in English, to English learners. (Education Code 60640)

Exemptions

Each year the Superintendent or designee shall notify parents/guardians of their child's participation in the CAASPP and of the provisions of Education Code 60615 related to exemptions from testing. (5 CCR 852)
(cf. 5145.6 - Parental Notifications)

A parent/guardian may annually submit to the school a written request to excuse his/her child from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the Superintendent or designee. However, district employees shall not solicit or encourage any exemption request on behalf of any student or group of students. (EC 60615; 5 CCR 852)

If a parent/guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent/guardian and included in the student's records. (5 CCR 852)

Testing Period

The Superintendent or designee shall establish testing days for district students within the following available testing windows: (5 CCR 855)

1. Assessments in English language arts and mathematics shall be administered between the date on which at least 66 percent of the school's or track's annual instructional days for grades 3-8, have been completed and the last day of instruction for the regular annual calendar of the school.

**STATE ACADEMIC ACHIEVEMENT TESTS (continued)**

2. All science assessments, including CAPA and CMA, shall be administered during an available testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's annual instructional days.

3. Beginning in the 2016-17 school year, the CAA shall be administered during the available testing windows specified in item #1.

4. The primary language assessment shall be administered to English learners within the testing window specified in item #2.

Within the above testing windows, the Superintendent or designee may designate one testing period for each school. The district shall not exceed six selected testing periods within the available testing window. The testing period shall be no fewer than 25 consecutive instructional days and may be extended up to an additional 10 consecutive instructional days if still within the available testing window set forth in items #1-4 above. (5 CCR 855)

Students who are absent during testing shall be provided an opportunity to take the tests within the testing window.

Testing Variations

CAASPP achievement tests and the primary language test shall be administered in accordance with the manuals or other instructions provided by the test contractor or CDE except that, as appropriate, the following testing variations may be used: (5 CCR 850, 853-853.8)

1. Universal tools specified in 5 CCR 853.5 may be used with any student.

2. Designated supports specified in 5 CCR 853.5 and, if an English learner, in 5 CCR 853.7, may be used with a student for whom the need has been indicated by an educator or team of educators, with parent/guardian and student input as appropriate, or for whom the need is specified in the student's IEP or Section 504 plan.

3. Accommodations specified in 5 CCR 853.5 may be used with a student with disabilities when included in the student's IEP or Section 504 plan as resources that are regularly used in the classroom for the student's instruction and/or assessment(s). Such accommodations shall be either utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment.

4. An unlisted resource that has not been specifically identified as an approved universal tool, designated support, or accommodation may be used with a student who has an IEP or Section 504 plan provided that the resource is one that is regularly used in the classroom for instruction

**STATE ACADEMIC ACHIEVEMENT TESTS (continued)**

and/or assessment and the CDE has approved its use. At least 10 business days prior to the student's first day of CAASPP testing, the district or school site test coordinator may electronically submit a request to the CDE for approval to use that unlisted resource during that year. If the CDE determines that the unlisted resource changes the construct being measured, the unlisted resource may nevertheless be used with the student in order to generate an individual score report even though the student shall not be counted in the participation rate for accountability measures. (5 CCR 853.8)

In the administration of the CAA to a student with significant cognitive disabilities, the student may have all instructional supports that may be used in daily instruction or assessment, including language and physical supports, with the exception of any inappropriate test practices listed in test administration manuals. (5 CCR 850, 853.6)

Report of Test Results

For any state assessments that produce valid individual student results, the Superintendent or designee shall forward or transmit the student's test results to his/her parents/guardians within 20 working days from receipt of the results from the test contractor or, if the district receives the results from the contractor after the last day of instruction for the school year, then within the first 20 working days of the next school year. The report shall include a clear explanation of the purpose of the test, the student's score, and its intended use by the district. An individual student's scores shall also be reported to his/her school and teacher(s) and shall be included in his/her student record. (EC 60641; 5 CCR 863)
(cf. 5125 - Student Records)

With parent/guardian consent, the Superintendent or designee may release a student's test results to a postsecondary educational institution for the purposes of credit, placement, determination of readiness for college-level coursework, or admission. (EC 60641)

The Superintendent or designee shall present districtwide, school-level, and grade-level results to the Governing Board at a regularly scheduled meeting. The Board shall not receive individual students' scores or the relative position of any individual student. (EC 49076, 60641)

(12/13 12/14) 3/16

Date Adopted: December 7, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6162.54**

## TEST INTEGRITY/TEST PREPARATION

The Governing Board desires to protect the integrity of student assessments in order to obtain accurate and reliable student achievement data and to ensure accountability to the community and state. Staff and students shall maintain a high level of integrity in the completion and handling of student assessments.
(cf. 0500 - Accountability)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 5131 - Conduct)
(cf. 5131.9 - Academic Honesty)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)

In administering standardized tests, staff shall not engage in any acts that could result in the invalidation of test results, such as:

1. Providing inappropriate test preparation

2. Modifying test administration procedures, except as allowed by law

3. Providing inappropriate assistance to students during test administration

4. Changing or filling in answers on student answer sheets

5. Providing inaccurate data on student header sheets

6. Discouraging or excluding certain students from taking the test

7. Engaging in any other practice to artificially raise student scores without actually improving underlying student achievement

Appropriate Test Preparation

The Superintendent or designee, principals, and teachers shall not implement any program for the sole purpose of test preparation of students for the statewide assessment system or a particular test used in the statewide assessment system. (Education Code 60611)

The primary preparation for assessments shall be high-quality instruction in the content specified in state and district academic standards. In addition, staff may prepare students for assessments by teaching general test-taking strategies and familiarizing them with item types or the computer-based testing environment used in state assessments.
(cf. 6011 - Academic Standards)

## TEST INTEGRITY/TEST PREPARATION (continued)

Investigation and Consequences of Testing Irregularities

Reports of cheating on assessments shall be submitted to the Superintendent or designee. The Superintendent or designee shall immediately investigate with due diligence any reports of inappropriate test preparation or other testing irregularities.

Students found to have cheated on assessments shall be subject to disciplinary procedures in accordance with Board policy and administrative regulations.
(cf. 5144 - Discipline)

A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law, applicable collective bargaining agreements, Board policy, and administrative regulations.
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

If the Superintendent or designee is made aware of a testing irregularity on state assessments, he/she shall report the irregularity to the California Department of Education.

Legal Reference:
*EDUCATION CODE*
*60611 Inappropriate test preparation*
*60640-60649 California Assessment of Student Performance and Progress*
*60850-60859 California High School Exit Examination*
*GOVERNMENT CODE*
*54957 Complaints against employees, closed session*
*CODE OF REGULATIONS, TITLE 5*
*850-864 California Assessment of Student Performance and Progress*
*1200-1225 California High School Exit Examination, especially:*
*1220 Cheating on the high school exit examination*

*Management Resources:*
*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*
*Guidelines on Academic Preparation for State Assessments, December 2009*
*WEB SITES:*
*CSBA: http://www.csba.org*
*California Department of Education: http://www.cde.ca.gov*
*Smarter Balanced Assessment Consortium: http://www.smarterbalanced.org*

(3/01 11/05) 4/14

Date Adopted: January 4, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6162.8**

## RESEARCH

The Governing Board recognizes the value of academic research to improve educational programs and practices. Researchers shall respect the privacy rights of students, including their right to refrain from participation in research projects in accordance with law, board policy and administrative regulation.

The Superintendent or designee may authorize research projects within the district by outside groups or persons when such research is aligned with district goals and objectives and is likely to benefit the district without disrupting the school program.
(cf. 0000 – Vision EESD)
(cf. 0100 – Philosophy EESD)
(cf. 0200 - Goals for the School District EESD)

The Superintendent or designee shall ensure that parents/guardians receive prior notification of any surveys or evaluations that collect personal student information and that consent is obtained in accordance with law.
(cf. 5022 - Student and Family Privacy Rights CSBA, NCLB)
(cf. 5145.6 - Parental Notifications CSBA, NCLB)

*Legal Reference:*
*EDUCATION CODE*
*51513 Personal beliefs*
*UNITED STATES CODE, TITLE 20*
*1232h Protection of pupil rights*

*Management Resources:*
*WEB SITES*
*CSBA: http://www.csba.org*
*CDE: http://www.cde.ca.gov*
*USDOE, Family Policy Compliance Office: http://www.ed.gov/offices/OM/fpco/*

Date Adopted: February 4, 2004

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6162.8**

## RESEARCH

Persons or groups wishing to use district staff, students or property in connection with an academic research project shall submit to the Superintendent or designee a written proposal which includes:

1. Name of researcher(s) and academic credentials
2. Purpose and scope of the project
3. Method of study or investigation to be used
4. Extent of participation expected of students and staff
5. Use to which project results will be put
6. Benefits to the school(s) or the district

The Superintendent or designee shall evaluate the extent to which the proposal:

1. Shows potential for improving instructional programs and strategies
2. Addresses a relevant educational problem, concern or issue
3. Is designed to minimize interruptions and demands upon the time of students and staff

The Superintendent or designee may approve the proposed project for a period of one school year or less. To extend any project into a second school year, the researcher(s) must obtain approval from the Superintendent or designee.

Researchers shall certify that they will use no school names in the publication of findings without the approval of the Superintendent or designee.

Date Adopted: February 4, 2004

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6163.1**

## LIBRARY MEDIA CENTERS

The Governing Board recognizes that school libraries support the educational program by providing access to a variety of informational and supplemental resources that can inspire a love of reading, stimulate thought, the exploration of ideas and intellectual exchanges, and contribute to the academic achievement of all students. The Board desires that school libraries be stocked with up-to-date books, reference materials, and electronic resources that promote literacy, support academic standards, contain a broad spectrum of knowledge and viewpoints, accurately reflect and value society's diversity, and prepare students to become lifelong learners.

The Superintendent or designee may, in consultation with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate, develop and regularly update a plan for school libraries that describes the district's goals for school libraries and the distribution of funds to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, the development and maintenance of classroom libraries, prevention of loss or damage of library materials, prioritization of needs, and other related matters. The Superintendent or designee shall ensure that the library plan is aligned with the district's local control and accountability plan and other district and school plans.

### Student Success Cards

The district may coordinate with the local public library to ensure that, by grade 3, each student is provided with the opportunity to obtain a student success card issued by a local public library that provides access to library services. (EC 19341, 19342)

The district may disclose student directory information to the State Librarian and a local public library for purposes of administering the student success cards. (EC 19344, 49061; 34 CFR 99.3)

### Staffing

To staff school libraries, the district may employ one or more teacher librarians who possess appropriate credentials issued by the Commission on Teacher Credentialing. (EC 18120, 44868; 5 CCR 80024.6, 80053)

The Superintendent or designee may assign teacher librarians to perform the following duties in accordance with the authorizations of their credential: (5 CCR 80053, 80053.1)

1. Instruct students in accessing, evaluating, using, and integrating information and resources in the library program and/or provide departmentalized instruction in information literacy, digital literacy, and digital citizenship

2. Plan and coordinate school library programs with the district's instructional programs through collaboration with teachers

3. Select materials for school and district libraries

4. Develop and deliver staff development programs for school library services

5. Coordinate or supervise library programs at the school or district level

6. Plan and conduct a course of instruction for students who assist in the operation of school libraries

7. Supervise classified personnel assigned school library duties

8. Develop procedures for and management of the school and district libraries

Additionally, the Board may appoint classified paraprofessionals to serve as library clerks or library technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

**Hours of Operation**

School libraries shall be open for use by students and teachers during the school day, as staffing allows. (EC 18103)

With the approval of the Board, a school library may be open at other hours outside the school day, including evenings and Saturdays. Any library open to serve students during evening and Saturday hours shall be under the supervision of a certificated employee who consents to the assignment. (EC 18103)

**Selection, Evaluation, and Use of School Library Materials**

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive and/or language needs.

Library materials may be selected and evaluated through a process that invites recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

The Board may exclude from libraries all books, publications, or papers of a sectarian, partisan, or denominational character. (EC 18111)

**INSTRUCTION** **BP 6163.1**

**LIBRARY MEDIA CENTERS (continued)**

The use of any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (EC 243)

Library materials shall be use in accordance with Board Policy 0410 - Nondiscrimination in District Programs and Activities.

Library materials shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed.

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

Complaints regarding the appropriateness of library materials shall be addressed in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials and Board Policy 1312.3 - Uniform Complaint Procedures, as applicable.

**Fees**

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

Students shall be encouraged to return library materials in a timely manner, but no charge shall be assessed for the late return of materials.

**Library Instruction**

Teacher librarians and/or classroom teachers shall provide library instruction to support the development of students' information literacy skills. Such instruction shall be aligned with the state academic standards for library instruction, consistent with Board policy and administrative regulation, and shall prepare students to:

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources

**INSTRUCTION** **BP 6163.1**

**LIBRARY MEDIA CENTERS (continued)**

2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry

3. Organize, synthesize, create, and communicate information

4. Integrate information literacy skills into all areas of learning and pursue information independently to become life-long learners

Additionally, teacher librarians may provide support to teachers, administrators, and other staff by identifying instructional materials that will aid in the development of curriculum and instructional activities and by providing information about effective and ethical uses of school library services and equipment.

**Program Evaluation**

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of its school libraries for the preceding year ending June 30. (EC 18122)

Date Adopted: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6163.2**

## ANIMALS AT SCHOOL

The Governing Board recognizes that animals can contribute to the district's instructional program by being effective teaching aids to students and by assisting individuals with disabilities to access district programs and activities. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

Animals may be brought to school for educational purposes, subject to rules and precautions specified in administrative regulations related to health, safety and sanitation. Teachers shall ensure that these rules and precautions are observed so as to protect both the students and animals.

Seeing-eye dogs and service dogs may accompany students and staff at school as needed.
(cf. 0410 - Nondiscrimination in District Programs and Activities)

However, the district assumes no liability for the animals allowed on district property.
(cf. 3320 - Claims and Actions Against the District)
(cf. 3530 - Risk Management/Insurance)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.23 - Asthma Management)

The Superintendent or designee shall develop rules and procedures to ensure than when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6163.2**

# ANIMALS AT SCHOOL

*Legal Reference:*
*EDUCATION CODE*
*233.5 Instruction in kindness to pets and humane treatment of living creatures*
*39839 Transportation of guide dogs, signal dogs, service dogs*
*51202 Instruction in personal and public health and safety*
*51540 Safe and humane treatment of animals at school*
*CIVIL CODE*
*54.1 Access to public places*
*54.2 Guide, signal, or service dogs, right to accompany*
*GOVERNMENT CODE*
*810-996.6 California Tort Claims Act, especially:*
*815 Liability for injuries generally; immunity of public entity*
*835 Conditions of liability*
*VEHICLE CODE*
*21113 Public grounds*
*CODE OF REGULATIONS, TITLE 13*
*1216 Transportation of property*
*UNITED STATES CODE, TITLE 20*
*1400-1482 Individuals with Disabilities Education Act*
*UNITED STATES CODE, TITLE 29*
*794 Rehabilitation Act of 1973, Section 504*
*CODE OF FEDERAL REGULATIONS, TITLE 28*
*35.104 Definitions*
*35.136 Service animals*
*COURT DECISIONS*
*Sullivan v. Vallejo City USD, (1990) 731 F.Supp. 947*
*Management Resources:*
*FEDERAL REGISTER*
*Rules and Regulations, September 15, 2010, Vol. 75, Number 178, pages 56164-56236*
*CSBA PUBLICATIONS*
*Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008*
*Asthma Management in the Schools, Policy Brief, March 2008*
*WEB SITES:*
*CSBA: http://www.csba.org*
*American Society for the Prevention of Cruelty to Animals: http://www.aspca.org*
*Humane Society of the United States: http://www.hsus.org*
*U.S. Department of Education, Office of Civil Rights: http://www.ed.gov/about/offices/list/ocr*

(10/96 7/08) 3/11

Date Adopted: June 11, 2008
Date Revised: October 5, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6163.2**

## ANIMALS AT SCHOOL

Use of Animals for Instructional Purposes

Before any student or employee brings an animal to school for an instructional purpose, he/she shall receive written permission from the principal or designee. The principal or designee shall give such permission only after he/she has provided written notification to all parents/guardians of students in the affected class, asking them to verify whether their child has any known allergies, asthma, or other health condition that may be aggravated by the animal's presence. When a parent/guardian has provided notification that his/her child has an allergy, asthma, or other health condition that may be aggravated by the animal, the principal shall take appropriate measures to protect the student from exposure to the animal.
(cf. 3514 - Environmental Safety)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.23 - Asthma Management)

All animals brought to school must be in good physical condition and must be appropriately immunized. The teacher shall ensure that the species of animal is appropriate for the instructional purpose and age and maturity of the students; and students bringing animals to school must first obtain the consent of the teacher and the parent/guardian.

All animals brought to school shall be adequately fed, effectively controlled, humanely treated, and properly housed in cages or containers suitable for the species. The teacher shall ensure that cages and containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner.
(cf. 5141 - Health Care and Emergencies)
(cf. 5142 - Safety)

The teacher shall ensure that students receive instructions regarding the proper handling of and personal hygiene around animals.
(cf. 5141.22 - Infectious Diseases)

Except for service animals, as defined below, all animals are prohibited on school transportation services. (EC 39839; 13 CCR 1216)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 5131.1 - Bus Conduct)

Animals shall not be brought to school by employees, students, or other individuals for non-educational purposes. This includes dogs, cats, birds, and other household pets, however, this list is not meant to be all-inclusive, and shall include all mammals and reptiles.

**ANIMALS AT SCHOOL (continued)**

Students shall not bring poisonous or wild animals to school. If wildlife specimens are used in a biology class, protective gloves and a face shield shall be worn by anyone handling these specimens and the animals' saliva and neurological tissue shall be treated as infectious.
(cf. 5141.22 - Infectious Diseases)

Animals brought to school by students shall generally be taken home the same day they are brought to school.

With the consent of the principal or designee, animals may remain at school longer under the following conditions:

BEST PRACTICES:
The procurements, care, and use of animals in the classroom must comply with existing local, state, and federal regulations for K-12 educational programs. The use of animals in the classroom shall be consistent with District Policy.

Instructors shall be familiar with the needs and behaviors of a given species prior to its introduction into the classroom. Students shall be instructed on proper animal care and handling before having direct contact with the animals.

Special consideration shall be made for the following:

Allergies and Health

- Special attention shall be given to furred and feathered animals in terms of their effect on allergic students.
- Pet birds, including parrots and parakeets, shall not be permitted at school, unless they have been veterinarian-certified as psittacosis-free.
- Avoid contact between humans and animals when either of them may be a disease carrier.
- Any animal exhibiting signs of illness or distress shall be removed from the classroom.
- Locate the animal(s) away from the water fountain, sinks where students and staff wash hands, areas where food is prepared, stored, or served, or areas where first aid materials are stored or first aid is administered.
- In the event that a student or staff member demonstrates an allergic reaction to the animal, the animal shall be removed.

**ANIMALS AT SCHOOL (continued)**

Animals in Training

- Animals trained, or being trained, to assist persons who are physically impaired shall have access to district property.

Loaned Animals

- Care and maintenance of classroom pets or observational animals on loan are the responsibility of the instructor and should not go home with students on weekends or over school breaks.

Notification

- Principals shall be notified of the presence of animals used in the day-to-day operations of classrooms where the animals are normally used in the course of study, or in the classrooms where they are normally displayed for educational purposes.
- Parents shall be notified when an animal is to be housed in a classroom.
- Parental permission shall be obtained before allowing a student to take an animal home.

Proper Housing

- Except for service animals, provide an animal-appropriate cage for any animal(s) that will remain at school. There shall be adequate ventilation, light, and reasonable temperature. Cages shall be sufficient in size to allow animals to stand or lie in a normal position and be constructed to retain all urine and fecal material within the cage.
- Maintain a good environment for the animals, with ample food and water available to them at all times, including weekends and holidays. If animals are to be kept in the classroom on days when classes are not in session, the teacher shall make arrangements for their care and safety.
- Cages shall be cleaned on a regular basis and shall be kept free of wastes. Keep aquariums and terrariums clean so that organic materials do not act as a reservoir for microorganisms. Remove mineral accumulations with a vinegar solution and rinse.
- Animals brought into the classroom by non-district personnel for demonstration purposes are the sole responsibility of the presenter and shall be removed at the end of the presentation. Domestic pets shall be leashed or wear a collar for constraint when on school premises. Large mammals and livestock shall be haltered and, if appropriate, muzzled or caged. The person attending any domestic pet, large mammal, or livestock shall be responsible for cleaning up any fecal, urine, or blood-contaminated material left by the animal he/she is attending.

## ANIMALS AT SCHOOL (continued)

Visiting Animals

- Animals brought into the classroom by district personnel are the sole responsibility of the employee/owner. Domestic pets shall be leashed or wear a collar when on school premises. Dogs, cats, and other domesticated pets brought to school by employees are subject to prior approval of the principal. Only animals certified as "Therapy Pets" by the Delta Society or other equivalent national registry may be brought to school on a recurring basis.
- Animals under the control of public safety officials may have access to district property for educational and public relation purposes. Use of these animals by law enforcement officials is under the jurisdiction of state and federal law and is not governed by these guidelines.

Risk Transfer Forms
A permission slip form must be signed by the parent/guardian that they are aware of animals in the classroom. Guidelines for parents bringing animals into the classroom are available at the school or district office.

Use of Service Animals by Individuals with Disabilities

For an individual with a disability, service animal means any dog that is individually trained to do work or perform tasks related to the individual's disability and for his/her benefit. For example, for an individual who is blind or has low vision, a service animal would mean a dog that helps him/her with vision, navigation, and other tasks; for an individual who is deaf or hard of hearing, a service animal would mean a dog that alerts him/her to the presence of people or sounds; and for an individual with psychiatric or neurological disabilities, a service animal would mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors. (28 CFR 35.104)

Individuals with disabilities may be accompanied on school premises and on school transportation by service animals, including specially trained guide dogs, signal dogs, or service dogs. (EC 39839; CC 54.2; 28 CFR 35.136)
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee may permit the use of a miniature horse as a service animal when the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability, provided that: (28 CFR 35.136)

**ANIMALS AT SCHOOL (continued)**

1. The district's facility can accommodate the type, size, and weight of the horse.

2. The individual has sufficient control of the horse.

3. The horse is housebroken.

4. The horse's presence in the specific facility does not compromise legitimate safety requirements of the facility.

The Superintendent or designee may ask any individual with a disability to remove his/her service animal from school premises or transportation if the animal is out of control and the individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, he/she shall be given an opportunity to participate in the service, program, or activity without having the service animal present. (EC 39839; CC 54.2; 28 CFR 35.136)

(10/96 7/08) 3/11

Date Adopted: June 11, 2008
Date Revised: October 5, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6163.4**

## STUDENT USE OF TECHNOLOGY

The Governing Board believes that effective use of technology is integral to the education and development of students. In order to promote digital citizenship, the Board recognizes that students must have access to the latest digital tools and receive instruction that allows students to positively engage with technology in ways that respect human rights and avoids Internet dangers. Technological resources provided to students, including technology based on artificial intelligence (AI), shall be aligned to district goals, objectives, and academic standards. The use of technology shall augment the use of Board adopted instructional materials.

The Board intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. Students shall be allowed to use such technology, including AI technology, in accordance with district policies, including, but not limited to, policies on academic honesty, data privacy, nondiscrimination, and copyright protections. All students using these resources shall receive instruction in the proper and appropriate use of technology. Such instruction shall incorporate students' responsibilities regarding academic honesty, honoring copyright provisions, assessing the reliability and accuracy of information, protecting personal data, and the potential for biases and errors in artificially generated content.

*District technology* includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the district, whether accessed on or off site or through district-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including AI apps; telephones, cellular telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this board policy and the district's Acceptable Use Agreement.

Before a student is authorized to use district technology, the student and the student's parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the student and parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

**INSTRUCTION** **BP 6163.4**

**STUDENT USE OF TECHNOLOGY (continued)**

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that the use of district technology, as defined above, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in the use of district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and Board Policy/Administrative Regulation 5125 - Student Records.

Whenever a student is found to have violated board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and board policy.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

**Internet Safety**

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 7131; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

**STUDENT USE OF TECHNOLOGY (continued)**

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs

2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"

3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and monitoring suspicious and/or threatening digital media content, in accordance with Board Policy 5125 - Student Records.

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Date Adopted: May 6, 1998

Date Revised: September 5, 2001, December 4, 2002, June 14, 2006, May 4, 2011, May 2, 2012, September 7, 2016, November 6, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6164.2**

## GUIDANCE/COUNSELING SERVICES

The Governing Board recognizes that a comprehensive counseling program can help promote academic achievement and serve the diverse needs of all district students.

Supplemental School Counseling Program for Students in Grades 7-8

The Board has adopted the Supplemental School Counseling Program as outlined in the administrative regulation in order to provide supplemental counseling services to all students in grades 7-8 delivered by personnel who hold a valid pupil personnel services credential. In accordance with law and as specified in administrative regulation, the district's program shall provide for an individualized review of student records, an opportunity for a counselor to meet with students to discuss educational and vocational options, and specialized counseling services for students identified as at risk of not passing the high school exit examination.

Personal Counseling

Counseling staff shall identify and work with students whose personal problems may prevent them from reaching their potential. As appropriate, students shall be informed about agencies that offer qualified professional assistance with substance abuse, physical or emotional problems, or other personal problems.

Counselors shall respect student confidentiality as appropriate and shall consult with the Superintendent or designee or with the district's legal counsel whenever unsure of how to respond to a student's personal problem. Parent/guardian consultation and consent shall be obtained as appropriate.

(cf. 5022 - Student and Family Privacy Rights)

Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors shall assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan, and other prevention and intervention practices designed to assist students before and after a crisis.

In addition, the Superintendent or designee shall identify crisis counseling resources to train district staff in appropriate response techniques and/or to directly help students cope with such crises if they occur.

**INSTRUCTION** **BP 6164.2**

**GUIDANCE/COUNSELING SERVICES (continued)**

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

*Legal Reference:*
*EDUCATION CODE*
*221.5 Prohibited sex discrimination*
*41505-41508 Pupil Retention Block Grant*
*48431 Establishing and maintaining high school guidance and placement program*
*49600-49604 Educational counseling*
*51250 School age military dependents*
*51513 Personal beliefs*
*52378-52380 Supplemental school counseling program*
*REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS*
*48431.6 Tenth grade counseling program*
*PENAL CODE*
*11166-11170 Reporting known or suspected cases of child abuse*
*CODE OF REGULATIONS, TITLE 5*
*4930-4931 Counseling*
*UNITED STATES CODE, TITLE 10*
*503 Military recruiter access to directory information*
*UNITED STATES CODE, TITLE 20*
*1232g Family Educational Rights and Privacy Act*
*7908 Armed forces recruiter access to students and student recruiting information*
*CODE OF FEDERAL REGULATIONS, TITLE 34*
*99.1-99.67 Family Educational Rights and Privacy*

*Management Resources:*
*WEB SITES*
*American School Counseling Association: http://www.schoolcounselor.org*
*California Association of School Counselors: http://www.schoolcounselor-ca.org*
*California Department of Education: http://www.cde.ca.gov*
*U.S. Department of Education, Access to military recruiters: http://www.ed.gov/policy/gen/guid/fpco/hottopics/ht10-09-02.html*

Board Adopted: December 6, 2006

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6164.2**

## GUIDANCE/COUNSELING SERVICES

Supplemental School Counseling Program for Students in Grades 7-8

A counselor shall review the academic and deportment record of each student in grades 7-8, and meet with each student and, if practicable, his/her parent/guardian to explain the records. At the meeting, the counselor shall also explain the student's educational options, the coursework, and academic progress needed for satisfactory completion of middle school. (Education Code 53278)

The Superintendent or designee shall identify students in grades 7-8: (Education Code 53278)

1. Who are at risk of not graduating with the rest of their class.

The district shall provide the following services:

For students in grade 7 who are deemed to be at the far below basic in English language arts or mathematics pursuant to the California Standards Test administered in grade 6, the district shall provide a list of coursework and experience necessary to assist them to successfully transition to high school and to meet all graduation requirements, including passing the high school exit examination. (Education Code 53278)

A copy of the list of coursework and experience shall be provided to the student and his/her parent/guardian. The list shall also be included in the student's cumulative record. (Education Code 53278)

1. Individual Conference: For students in grades 7 who have been provided the list of coursework and experience detailed in item #1 above, the district shall offer and schedule an individual conference with each student, his/her parent/guardian, and a school counselor. During the conference, the counselor shall apprise the student and his/parent guardian of the following: (Education Code 53278)

    a. Available programs, courses, and career technical education options needed for satisfactory completion of middle school

    b. The student's cumulative records and transcripts

    c. The student's performance on standardized and diagnostic assessments

    d. Available remediation strategies and alternative education options

    e. As applicable, the student's score on the English language arts or mathematics portion of the California Standards Test administered in grade 6

**INSTRUCTION** **AR 6164.2**

**GUIDANCE/COUNSELING SERVICES (continued)**

The individual conference shall be scheduled, to the extent feasible, within the following timelines: (Education Code 53278)

1. For students in grade 7, the conference shall occur before January of that year in which the student is in grade 7.

The Superintendent or designee shall annually submit reports to the California Department of Education describing the number and percentage of students receiving various program services. (Education Code 52380)

Notifications

Beginning with grade 7, parents/guardians shall be notified at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions. (Education Code 221.5)

(cf. 5145.6 - Parental Notifications)

Nondiscrimination

No counselor shall unlawfully discriminate against any student. In addition, when exploring the possibility of careers and courses leading to such careers, counseling staff shall not differentiate career, vocational, or higher education opportunities on the basis of the sex of the student. (Education Code 221.5; 5 CCR 4930)

For appraising or counseling students, the district shall not use testing or other materials that permit or require impermissible or unlawful differential treatment of students. (5 CCR 4931)

(cf. 5145.3 - Nondiscrimination/Harassment)

Board Adopted: December 6, 2006

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6164.4**

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The Governing Board recognizes the need to actively seek out and evaluate district residents from birth through age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.
(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School)
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall establish a comprehensive child find system that includes procedures for the identification, screening, referral, assessment and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the special education and related services provided to such individuals. (EC 56301)

The district's identification procedures shall include systematic methods for utilizing referrals from parents/guardians, teachers, agencies, appropriate professionals, and other members of the public, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program. (EC 56302)

The Superintendent or designee shall notify parents/guardians in writing of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of procedures for initiating a referral for assessment to identify individuals for special education services. (EC 56301)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 4112.23 - Special Education Staff)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.6 - Parental Notifications)
(cf. 6159 - Individualized Education Program)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)
(cf. 6162.51 - Standardized Testing and Reporting Program)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6164.4**

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

*Legal Reference:*
EDUCATION
CODE
*44265.5 Professional preparation for teachers of impaired students* 56000-56885 Special education programs, especially:
*56195.8 Adoption of policies*
*56300-56304 Identification of individuals with disabilities* 56320-56331 Assessment
*56333-56338 Eligibility criteria for specific learning disabilities*
*56340-56347 Instructional planning and individualized education program* 56381 REASSESSMENT OF STUDENTS
*56425-56432 Early education for individuals with disabilities* 56441.11 Eligibility criteria, children 3 to 5 years old
*56445 Transition to grade school; reassessment* 56500-56509 Procedural safeguards GOVERNMENT CODE
*95000-95029.5 California Early Intervention Services Act* CODE OF REGULATIONS, TITLE 5
*3021-3029 Identification, referral and assessment* 3030-3031 Eligibility criteria

*UNITED STATES CODE, TITLE 20*
*1232g Family Educational Rights and Privacy Act of 1974* 1412 State eligibility
*1415 Procedural safeguards*
*CODE OF FEDERAL REGULATIONS, TITLE 34*
*104.35 Evaluation and placement*
*104.36 Procedural safeguards*
*300.1-300.818 Individuals with Disabilities Education Act, especially:* 300.301-300.306 Evaluations and reevaluations
*Management Resources:*
FEDERAL
*Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages*
*46539-46845*
*WEB SITES*
*California Department of Education, Special Education:*
http://www.cde.ca.gov/sp/se
*U.S. Department of Education, Office of Special Education Programs:*
http://www.ed.gov/about/offices/list/osers/osep

Date Adopted: January 9, 2008
Date Revised: November 3, 2021

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The Superintendent or designee shall ensure that the district's child find process includes the collection of data and, at reasonable intervals, the screening of such data to determine if students are making adequate progress, as appropriate.

A student shall be referred for special education instruction and services only after the resources of the regular education program have been considered and used where appropriate. (EC 56303)

However, the district shall ensure that evaluations of children suspected of having a disability are not delayed or denied because of the implementation of response to intervention strategies.

A parent/guardian or the district may initiate a request for an initial evaluation to determine if the student is a student with a disability. (34 CFR 300.301)

When a verbal referral is made, staff shall offer assistance to the individual to make the request in writing and shall assist the individual if the individual requests such assistance. (5 CCR 3021)

All referrals from school staff for an initial evaluation shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student and, when appropriate, the results of intervention. This documentation shall not delay the timelines for completing the assessment plan or assessment. (5 CCR 3021)

Initial Evaluation for Special Education Services

Before the initial provision of special education and related services to a student with a disability, the district shall conduct a full and individual initial evaluation of the student. (EC 56320; 34 CFR 300.301)

Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 calendar days, not counting days between the student's regular school sessions or terms or calendar days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10 days after the beginning of the next regular school year or term. (EC 56043, 56321)

The proposed evaluation plan shall meet all of the following requirements: (EC 56321)

1. Be in a language easily understood by the general public

2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible

3. Explain the types of evaluation to be conducted

4. State that no individualized education program (IEP) will result from the evaluation without parent/guardian consent

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

A copy of the notice of a parent/guardian's rights and procedural safeguards shall be attached to the evaluation plan. (EC 56321)

The proposed written evaluation plan shall include a description of recent assessments conducted, including available independent assessments and assessment information requested by the parent/guardian to be considered, as well as information indicating the student's primary language and the student's primary language proficiency as determined by Education Code section 52164.1. (5 CCR 3022)

Before conducting an initial evaluation, the district shall provide the parent/guardian with prior written notice in accordance with 34 CFR 300.503. In addition, as part of the evaluation plan, the parent/guardian shall receive written notice that includes all of the following information: (EC 56329; 34 CFR 300.304, 300.502, 300.504)

1. Upon completion of the administration of tests and other evaluation materials, an IEP team meeting that includes the parent/guardian or the parent/guardian's representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities, as defined in Education Code 56026, and shall discuss the evaluation, the educational recommendations, and the reasons for the recommendations.

2. When making a determination of eligibility for special education, the district shall not determine that the student is disabled if the primary factor for such determination is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in 20 USC 6368, lack of appropriate instruction in mathematics, or limited English proficiency, if the student does not otherwise meet the eligibility criteria under 34 CFR 300.8.

3. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian.

4. If the parent/guardian disagrees with an evaluation obtained by the district, the parent/guardian has the right to obtain, at public expense, an independent educational evaluation (IEE) of the student from qualified specialists, in accordance with 34 CFR 300.502. The parent/guardian is entitled to only one such evaluation at public expense each time the district conducts an assessment with which the parent/guardian disagrees.

   If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of the student, an equivalent opportunity shall apply to the IEE. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the district's proposed placement and setting, if any, regardless of whether the IEE is initiated before or after the filing of a due process hearing proceeding.

5. The district may initiate a due process hearing pursuant to Education Code 56500-56508 to show that its evaluation is appropriate. If the final decision resulting from the due process hearing is that the evaluation is appropriate, the parent/guardian maintains the right for an IEE, but not at public expense.

   If the parent/guardian obtains an IEE at private expense, the results of the IEE shall be considered by the district with respect to the provision of a free appropriate public education (FAPE) to the student, and may be presented as evidence at a due process hearing regarding the student. If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

have in-class observation of a student, an equivalent opportunity shall apply to an IEE of the student in the student's current educational placement and setting and in any educational placement and setting proposed by the district, regardless of whether the IEE is initiated before or after the filing of a due process hearing.

6. If the parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the district shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by the student's parent/guardian, the student in that proposed placement. Any such observation shall only be of the student who is the subject of the observation and shall not include the observation or evaluation of any other student in the proposed placement unless that other student's parent/guardian consents to the observation or evaluation. The results of any observation or evaluation of another student in violation of Education Code 56329(d) shall be inadmissible in any due process or judicial proceeding regarding FAPE of that other student.

Parent/Guardian Consent for Evaluations

Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether to consent to the initial evaluation. The district shall not interpret parent/guardian consent for initial evaluation as consent for initial placement or initial provision of special education services. (EC 56321; 34 CFR 300.300)

Informed parental consent means that the parent/guardian: (EC 56021.1; 34 CFR 300.9)

1. Has been fully informed, in the parent/guardian's native language or other mode of communication, of all information relevant to the activity for which consent is sought

2. Understands and agrees, in writing, to the carrying out of the activity for which parent/guardian consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom

3. Understands that the granting of consent is voluntary on the parent/guardian's part and may be revoked at any time

4. Understands that if the parent/guardian revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked). The district is not required to amend the education records of a student to remove any reference to the student's receipt of special education and services if the student's parent/guardian submits a written revocation of consent after the initial provision of special education and related services to the student.

The district shall make reasonable efforts to obtain the informed consent of the parent/guardian for an initial evaluation or reevaluation of a student. (EC 56321; 34 CFR 300.300, 300.322)

The district shall maintain a record of its attempts to obtain consent, which may include:

1. Detailed records of telephone calls made or attempted and the results of those calls

2. Copies of correspondence sent to the parent/guardian and any responses received

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

If a parent/guardian refuses to consent to the initial evaluation or fails to respond to a request to provide consent, the district may, but is not required to, pursue an evaluation by utilizing the procedural safeguards, including the mediation and due process procedures pursuant to 20 USC 1415 and 34 CFR 300.506-300.516. (EC 56321; 34 CFR 300.300)

For a student who is a ward of the state and not residing with the student's parent/guardian, the district shall make reasonable efforts to obtain the informed consent from the parent of the student for an initial evaluation to determine whether the student is a student with a disability. The district may conduct an initial evaluation without obtaining informed consent if any of the following situations exists: (EC 56321.1; 20 USC 1414; 34 CFR 300.300)

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent/guardian of the student.

2. The rights of the parent/guardian of the student have been terminated in accordance with state law.

3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.

The district need not obtain parent/guardian consent before reviewing existing data as part of an evaluation or reevaluation, or before administering a test or other evaluation that is administered to all students, unless consent is required from the parents/guardians of all students. (EC 56321; 34 CFR 300.300)

Conduct of the Evaluation

Within 60 calendar days of receiving parental consent for the initial assessment of a student, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five schooldays, a determination whether the student is eligible for special education and the educational needs of the student shall be made, an IEP team meeting shall occur, and an IEP shall be developed, unless the parent/guardian agrees in writing to an extension, pursuant to Education Code 56344. If the 60-day time is interrupted by a student school vacation, the 60-day time shall recommence on the date that student schooldays reconvene and a meeting to develop an IEP for the student shall be conducted within 30 days of a determination that the student needs special education and related services. (EC 56043, 56344).

However, when a referral has been made for a student 30 days or less prior to the end of the regular school year, an IEP required as a result of an assessment of the student shall be developed within 30 days after the commencement of the subsequent regular school year. (EC 56320, 56322).

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by the district. (EC 56320, 56322)

In addition, evaluations and reevaluations shall be administered by qualified personnel who are competent in the oral or sign language skills and written skills of the student's primary language or mode of communication and have a knowledge and understanding of the cultural and ethnic background of the student. If it is clearly not feasible to do so, an interpreter shall be used, and the assessment report shall document this condition and note that the validity of the assessment may have been affected. The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance shall not be diagnosed as a disabling condition. (5 CCR 3023)

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. (EC 56321; 20 USC 1414; 34 CFR 300.302)

In conducting the evaluation, the district shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. The district shall also use any information provided by the parent/guardian that may assist the district in making the determination as to whether the student is a student with a disability and, if so, the necessary components of the student's IEP when the IEP is developed, including information related to enabling the student to be involved in and to progress in the general education curriculum. (34 CFR 300.304)

The district's evaluation shall not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program for the student. The assessment shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors. (34 CFR 300.304)

The district shall also ensure that assessments and other evaluation materials provide relevant information that assists in determining the student's educational needs and are: (EC 56320; 34 CFR 300.304)

1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis

2. Provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer

3. Used for the purposes for which the assessments or measures are valid and reliable

4. Administered by trained and knowledgeable personnel except that individually administered tests of intellectual or emotional functioning shall be administered by a credentialed school psychologist

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

5. Administered in accordance with any instructions provided by the producer of the assessments

6. Tailored to assess specific areas of educational need and not merely designed to provide a single general intelligence quotient

7. If administered to a student with impaired sensory, manual, or speaking skills, selected and administered to best ensure that the results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

Students shall be assessed in all areas related to the suspected disability, including, if appropriate, health and development, vision (including low vision), hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. When appropriate, a developmental history shall be obtained. For students with residual vision, a low vision assessment shall be provided in accordance with guidelines established pursuant to Education Code 56136. The district shall ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified. (EC 56320; 34 CFR 300.304)

As part of the initial evaluation and any reevaluation, the IEP team and other qualified professionals shall, if appropriate, review existing evaluation data on the student, including evaluations and information provided by the parents/guardians, current classroom-based local or state assessments and classroom-based observations, and observations by teachers and related services providers. On the basis of that review and input from the student's parent/guardian, the team shall identify what additional data, if any, are needed to determine: (EC 56381; 34 CFR 300.305)

1. Whether the student is a student with a disability, or in the case of a reevaluation, whether the student continues to have a disability, and the educational needs of the student

2. The present levels of academic achievement and related developmental needs of the student

3. Whether the student needs, or continues to need, special education and related services

4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the student's IEP and to participate, as appropriate, in the general education curriculum

If a student has transferred from another district in the same school year or leaves this district, the district shall coordinate with the student's prior or subsequent district as necessary and as expeditiously as possible to ensure prompt completion of full evaluations. (34 CFR 300.304)

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Evaluation Report

The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following: (EC 56327)

1. Whether the student may need special education and related services
2. The basis for making the determination
3. The relevant behavior noted during the observation of the student in an appropriate setting
4. The relationship of that behavior to the student's academic and social functioning
5. The educationally relevant health, developmental, and medical findings, if any
6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services
7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate
8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136

Eligibility Determination

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the student is a student with a disability as defined in 5 CCR 3030 and 34 CFR 300.8 and, if so, the student's educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered. (34 CFR 300.306)

When making a determination of eligibility for special education and related services, the district shall not determine that a student is disabled if the primary factor for such determination is a lack of appropriate instruction in reading, including the essential components of reading instruction pursuant to 20 USC 6368, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria. (EC 56329; 34 CFR 300.306)

The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance, shall not be diagnosed as a disabling condition. (5 CCR 3023)

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Independent Educational Evaluation

An independent educational evaluation is defined as an evaluation conducted by a qualified examiner who is not employed by the district. (34 CFR 300.502)

Public expense means that the district either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. (34 CFR 300.502)

The parents/guardians of a student with a disability have the right to obtain an IEE at public expense under the same criteria, including the location of the evaluation and the qualifications of the examiner, that the district uses for a district-initiated evaluation. (34 CFR 300.502)

The parent/guardian is entitled to only one IEE at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. (EC 56329; 34 CFR 300.502)

If a parent/guardian has requested an IEE, the district may ask for the reason that the parent/guardian objects to the district's evaluation. However, the parent/guardian is not required to provide an explanation and the district may not unreasonably delay either providing the IEE at public expense or filing a due process complaint to request a due process hearing to defend the public evaluation. (34 CFR 300.502)

Upon receiving the request for an IEE, the district shall, without unnecessary delay, either: (34 CFR 300.502)

1. File a due process complaint to request a hearing to show that its evaluation is appropriate

2. Ensure that an IEE is provided at public expense, unless the district demonstrates at a hearing that the evaluation obtained by the parent/guardian did not satisfy the district's criteria

If a due process hearing decision determines that the district's evaluation is appropriate, then the parent/guardian may obtain an IEE but not at public expense. (EC 56329; 34 CFR 300.502)

In any decision made with respect to providing FAPE to a student with a disability, the result of any IEE obtained by the student's parent/guardian shall be considered by the district if it meets district criteria. Any such result also may be presented as evidence at a hearing on a due process complaint. (EC 56329; 34 CFR 300.502)

Reevaluation

A reevaluation shall be conducted when the district determines that the educational or related service needs of the student, including improved academic achievement and functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests reevaluation. Such reevaluations shall occur every three years, unless the parent/guardian and district agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the district agree otherwise. (EC 56043, 56381; 34 CFR 300.303)

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

The district shall ensure that any reevaluations of the student are conducted in accordance with the evaluation procedures pursuant to 34 CFR 300.304-300.311. (34 CFR 300.303)

Before entering kindergarten or first grade, as the case may be, children with disabilities who are in a preschool program shall be reevaluated to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs. (EC 56445)

Date Approved: January 9, 2008
Date Revised: November 3, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6164.41**

## CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

The Governing Board recognizes its obligations under state and federal to locate, identify, evaluate, and provide equitable services to children voluntarily enrolled by their parents/guardians in private schools located within the district.

The Superintendent or designee shall ensure that activities to locate, identify, and evaluate children with disabilities enrolled by their parents/guardians in private schools within the district are comparable to activities undertaken for individuals with disabilities aged three to 22 in public schools within the district. (EC 56171; 34 CFR 300.131)

The Superintendent or designee shall develop a budget for the provision of services to children with disabilities enrolled by their parents/guardians in private school based on the proportionate share of federal funds received and the number of eligible children, including the possibility of mid-year enrollees, and the types of services to be provided.

*References:*

| | |
|---|---|
| *Ed. Code 56000* | *Special education; legislative findings and declarations* |
| *Ed. Code 56020-56035* | *Definitions* |
| *Ed. Code 56170-56177* | *Children enrolled in private schools* |
| *Ed. Code 56195.8* | *Adoption of policies* |
| *Ed. Code 56300-56385* | *Identification and referral, assessment* |
| *Ed. Code 56500-56509* | *Procedural safeguards* |
| *Ed. Code 56600-56606* | *Evaluation, audits and information* |

| *Federal References* | *Description* |
|---|---|
| *20 USC 1232g* | *Family Educational Rights and Privacy Act (FERPA) of 1974* |
| *20 USC 1400-1482* | *Individuals with Disabilities Education Act* |
| *29 USC 794* | *Rehabilitation Act of 1973, Section 504* |
| *34 CFR 300.1-300.818* | *Assistance to states for the education of students with disabilities* |
| *34 CFR 300.130-300.140* | *Children with disabilities enrolled by their parents in private schools* |

| *Management Resources References* | *Description* |
|---|---|
| *Court Decision* | *Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997* |

Date Adopted: November 3, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6164.41**

## CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

Definitions

Parentally placed private school children with disabilities means children with disabilities who are voluntarily enrolled by their parents/guardians in a private school or facility within district boundaries, including children who are attending a private school or facility within district boundaries but who reside in another district or state. (34 CFR 300.130, 300.131)

Private school or facility means a private full-time day school, including a religious school, located within district boundaries, that has filed an affidavit with the California Department of Education pursuant to Education Code 33190 and is registered in the California Private School Directory.

Consultation with Private School Representatives

The Superintendent or designee shall consult with all private school representatives and representatives of parents/guardians of parentally placed private school children with disabilities during the design and development of equitable services for the children. In order to ensure a meaningful and timely consultation, the consultation shall include: (EC 56301; 20 USC 1412(a)(10)(A)(iii); 34 CFR 300.134)

1. The child find process and how parentally-placed private school children suspected of having a disability can participate equitably

2. The manner in which parents/guardians, teachers, and private school officials will be informed of the child find process

3. The determination of the proportionate share of federal funds available to serve parentally-placed private school children with disabilities and how this share is calculated

4. How the consultation process among district staff, private school officials, and representatives of parents of parentally-placed private school children with disabilities will operate throughout the school year to ensure that identified children can meaningfully participate in equitable services

5. The provision of equitable special education and related services including how, when, and by whom such services will be provided including a discussion about the types of services, alternate service delivery mechanisms, how services will be apportioned if funds are insufficient to serve all of the identified children, and how and when those decisions will be made

## CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL (continued)

6. In the event that the district and private school disagree on the provision of or the types of services, how the district will provide the private school officials with a written explanation of the reasons that the district chose to not provide the services

When meaningful and timely consultation has occurred, the district shall obtain a written affirmation signed by the representatives of participating private schools. If the private school representatives do not provide the affirmation within a reasonable period of time, the district shall forward documentation of the consultation process to the California Department of Education. (EC 56172; 20 USC 1412; 34 CFR 300.135)

After the consultation has occurred, the district shall ensure an annual count of the number of parentally placed children with disabilities attending private schools located within the district. This count shall be conducted between October 1 and December 1 each year and shall be used to determine the amount the district must spend on providing equitable services to the children in the subsequent fiscal year. (34 CFR 300.133)

Provision of Services

A child with a disability parentally-placed in a private school has no individual right to receive some or all of the special education and related services that would have been received if enrolled in public school. Such a child may receive a different amount of services than students with disabilities in public schools. (34 CFR 300.137, 300.138)

The district shall evaluate all identified parentally-placed private school children with disabilities for purposes of considering them for equitable services. This evaluation shall be conducted in accordance with the timelines and procedures for evaluating public school students with disabilities pursuant to 34 CFR 300.300-300.311 and as specified in BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education, including obtaining parent/guardian consent and providing the parent/guardian with a copy of the procedural safeguards notice. (34 CFR 300.131, 300.504)

If the child resides in the district and is eligible for an individualized education program (IEP), the district shall make a free appropriate public education (FAPE) available to the child. However, the district is not required to develop an IEP if the parent/guardian makes clear the intention to keep the child enrolled in private school. In such situations, the district shall obtain written certification confirming the parent/guardian's intention to keep the child enrolled in private school, including the fact that the parent/guardian is not interested in the development of an IEP or the district's offer of

## CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL (continued)

FAPE. If the parent/guardian does not provide confirmation in writing, the district shall obtain oral confirmation of the parent/guardian's intention and confirm the conversation in writing.

If the child resides in a different district, then this district and the district of residence shall work together to ensure that the parent/guardian receives an offer of FAPE in accordance with law.

The district shall develop and implement for each identified child with a disability enrolled by their parents/guardians in a private school within the district's boundaries an individual services plan (ISP) that describes the equitable services that the district will provide, as determined by the district after the consultation process with private school representatives. (34 CFR 300.138)

The ISP shall be developed, reviewed, and revised consistent with 20 USC 1414. A representative of the private school shall be invited to attend each ISP team meeting. If the representative cannot attend the meeting, the district shall use other methods to ensure the representative's participation, including individual or conference calls. (34 CFR 300.137, 300.138)

The district may provide services on the private school premises, including a religious school, to the extent consistent with law. The services shall be provided by personnel meeting the same standards as personnel providing services in the public school except that private elementary school and secondary school teachers who are providing equitable services to parentally-placed private school children with disabilities do not have to meet the special education teacher qualification requirements specified in 34 CFR 300.156. The personnel shall either be district employees or contractors of the district. (34 CFR 300.138, 300.139)

The district shall offer transportation to the child if services are provided on a site other than the child's school and the ISP team determines that transportation is necessary for the child to benefit from or participate in the services provided in the ISP. Depending on the timing of the services, the district shall provide transportation from the child's school or home to the service site and from the service site to the child's school or home. (34 CFR 300.139)

The district may place equipment and supplies in a private school for the period of time necessary to provide the services pursuant to the ISP. All such equipment shall remain the property of the district and must be able to be removed without remodeling or causing damage to the private school. The district shall remove the equipment when no longer required by the child, when the child no longer attends the private school, or when removal is necessary to prevent unauthorized use. (34 CFR 300.144)

Date Adopted: November 3, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6164.5**

## STUDENT SUCCESS TEAMS

The Governing Board encourages the collaboration of parents/guardians, certificated and classified staff, administrators, and/or the student, as appropriate, in evaluating the strengths and needs of students having academic, attendance, social, emotional, or behavioral difficulties and in identifying strategies and programs that may assist such students in maximizing their potential. The Superintendent or designee shall establish student success teams (SST) as needed to address individual student needs.

The Superintendent or designee shall establish and maintain a process for initiating the referral of students to SSTs, which may include referral by district staff, parents/guardians, and/or agency representatives. The Superintendent or designee may also establish and maintain a process for responding to SST referrals, which may include a determination by the district as to whether an SST shall be convened for an individual student.

Each SST may collect and analyze relevant student data, as appropriate. The SST may also review the student's educational history, work samples, strengths and areas for growth, and identify available resources and strategies.

Each SST shall develop a plan to support the student which incorporates intervention strategies. Such strategies may include changes in program placement or instructional methods, recommendation of supplemental educational services, parent involvement strategies, social, emotional and/or behavioral interventions, discipline, referrals to other agencies or resources, and/or other appropriate interventions.

The SST shall monitor the student's progress, evaluate the extent to which the recommended strategies have been implemented, make adjustments to the plan, and develop additional interventions as needed.

The SST process shall not delay or deny a referral for evaluation for eligibility for special education, as may be required under state or federal law.

The Superintendent or designee may integrate SSTs into the district's multi-tiered system of support, including identification of students who need additional support, the level(s) of support, appropriate interventions, monitoring of progress, and whether the goal of intervention has been met.

To strengthen the effectiveness of SSTs, the Superintendent or designee may provide staff development in the identification of students who may need additional support, implementation of measurable and targeted interventions, and monitoring of progress and goal attainment.

## STUDENT SUCCESS TEAMS (continued)

| State References | Description |
|---|---|
| Ed. Code 48260-48273 | Truants |
| Ed. Code 48400-48454 | Compulsory continuation education |
| Ed. Code 49600-49604 | Educational counseling |
| Ed. Code 51745-51749.3 | Independent study |
| Ed. Code 54400-54425 | Programs for disadvantaged children |
| Ed. Code 54440-54445 | Migrant children |
| Ed. Code 8800-8807 | Healthy Start support services for children |
| W&I Code 18986.40-18986.46 | Interagency children's services |
| W&I Code 4343-4352.5 | Primary interventions program, mental health |

Date Adopted: November 3, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6164.5**

## STUDENT SUCCESS TEAMS

Team Membership

1. Members of individual student success teams (SST) may include:
2. The principal or designee
3. One or more of the student's classroom teachers or former teachers
4. The student's parents/guardians
5. The student if appropriate
6. School Counselor(s)

Resource personnel or specialists, such as a school psychologist, nurse, outreach consultant, special education resource person, department chairperson, speech and language specialist, reading specialist, social worker, probation officer, community resource representative, mental health worker, and/or other person(s) relevant to the student's situation, as determined by the district

The makeup of each individual SST is at the district's discretion, and may not include participation from individuals in each of the categories listed above.

Team Responsibilities

1. The principal or designee shall:
2. Schedule meetings and establish meeting procedures
3. Contact parents/guardians and other team members regarding team meetings
4. Consult with appropriate school staff, including teachers and/or district resource personnel
5. Arrange for observation of the student as needed
6. Collect any additional background information necessary to inform team members about the student's strengths and needs, such as relevant student data, educational history, and work samples, as appropriate

**STUDENT SUCCESS TEAMS (continued)**

7. Help the student and parents/guardians prepare for the meeting

8. Facilitate the team meetings

9. Develop a plan to support the student which incorporates intervention strategies

10. Ensure that the student's progress is monitored, that follow-up meetings are regularly scheduled, and that adjustments are made to the plan and related interventions as necessary

| *State References* | Description |
|---|---|
| Ed. Code 48260-48273 | Truants |
| Ed. Code 49600-49604 | Educational counseling |
| Ed. Code 51745-51749.3 | Independent study |
| Ed. Code 54400-54425 | Programs for disadvantaged children |
| Ed. Code 54440-54445 | Migrant children |
| Ed. Code 8800-8807 | Healthy Start support services for children |
| W&I Code 18986.40-18986.46 | Interagency children's services |
| W&I Code 4343-4352.5 | Primary interventions program, mental health |

Date Adopted: November 3, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6164.6**

## IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Governing Board recognizes the need to identify and evaluate children with disabilities in order to provide them with a free, appropriate public education. Under Section 504 of the federal Rehabilitation Act of 1973, individuals with a physical or mental impairment that substantially limits one or more major life activities, including learning, are eligible to receive services and aids designed to meet their needs as adequately as the needs of non-disabled students are met.

The Superintendent or designee shall establish screening and evaluation procedures to be used whenever there is reason to believe that a student has a disability that limits his/her ability to attend or function at school.

To evaluate the student's eligibility under Section 504, the Superintendent or designee shall convene a school 504 team of professionals knowledgeable about the student's individual needs and school history, the meaning of evaluation data, and accommodation options. The student's parent/guardian shall be invited to participate on this committee.

If the student is found to have a disability that requires services under Section 504, the school 504 team shall develop a written accommodation plan for the student. Upon reviewing the nature of the disability and how it affects the student's education, the 504 team shall determine what modifications and/or special services and aids are needed. The student shall be educated with non-disabled students to the maximum extent appropriate to the student's individual needs.

The school 504 team shall provide the parent/guardian with a written copy of the accommodation plan and notice of procedural safeguards guaranteed by law.

*Legal Reference:*
*EDUCATION CODE*
*49423.5 Specialized physical health care services*
*CODE OF REGULATIONS, TITLE 5*
*3051.12 Health and Nursing Services*
*UNITED STATES CODE, TITLE 20*
*1232g Family Educational Rights and Privacy Act of 1974*
*1400-1482 Individuals with Disabilities Education Act*
*UNITED STATES CODE, TITLE 29*
*701-795a Rehabilitation Act*
*794 Rehabilitation Act of 1973, Section 504*
*CODE OF FEDERAL REGULATIONS, TITLE 34*
*104.1-104.61 Nondiscrimination on the basis of handicap, especially*
*104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973*
*104.3 Definitions*
*104.33 Free appropriate public education*
*104.35 Evaluation and placement*
*104.36 Procedural safeguard*

Date Adopted: January 9, 2008
Date Revised: June 7, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6164.6**

## IDENTIFICATION AND EDUCATION UNDER SECTION 504

Eligibility

A disabled student eligible for services under Section 504 is one who (a) has a physical or mental impairment that substantially limits one or more major life activities, including learning, (b) has a record of such impairment, or (c) is regarded as having such impairment. (34 CFR 104.3)

Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. Examples of students with such impairments include, but are not limited to:

1. Students with a normal ability to learn but who have mobility impairment

2. Students with a normal ability to learn academically but who require occupational or physical therapy in order to function physically

3. Students with emotional disabilities manifested by behavior problems which result in exclusion from classes or school

4. Physical impairment means any physiological disorder or condition.

Indications of a possible disability that significantly interferes with learning include, but are not limited to:

1. Medical conditions such as severe asthma or heart disease

2. Temporary medical condition due to illness or accident

3. Poor or failing grades over a lengthy period of time

Referral and Identification Procedures

1. Any student may be referred by a parent/guardian, teacher, other certificated school employee or community agency for consideration of eligibility as a disabled student under Section 504. This referral should be made to the school site principal.

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

2. The school 504 team shall promptly consider the referral and determine whether an evaluation under this procedure is appropriate. This determination shall be based on a review of the student's school records (including academic, social and behavioral records) and the student's needs. Students requiring evaluation shall be referred to appropriate evaluation specialists.

3. If a request for evaluation is denied, the school 504 team shall inform the parents/guardians of this decision and of their procedural rights as described below.

Accommodation Plan

1. When a student is identified as disabled within the meaning of Section 504, the school 504 team shall determine what services are necessary to ensure that the student's individual education needs are met as adequately as the needs of non-disabled students.

2. In making this determination, the school 504 team shall consider all significant factors relating to the learning process for the student, including his/her adaptive behavior and cultural and language background. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the parent/guardian.

3. The parents/guardians shall be invited to participate in the school 504 team meeting where services for the student will be determined and shall be given an opportunity to examine all relevant records.

4. The school 504 team shall develop a written plan describing the disability and specifying the services needed by the student. A copy of this plan shall be kept in the student's cumulative file. The student's teacher and any other staff who provide services to the student shall be informed of the services necessary for the student, to the extent that they need to be informed in order to provide for the student in the school setting.

5. If the school 504 team determines that no services are necessary for the student, the record of the committee's meeting shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

6. The disabled student shall be placed in the regular educational environment unless the district demonstrates that a more restrictive placement is required in order to meet the student's needs. The disabled student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs.

7. The parents/guardians shall be notified in writing of the final decision concerning services to be provided, if any, and of the Section 504 procedural safeguards, including the right to an impartial hearing to challenge the decision.

8. The district shall complete the identification, evaluation, and placement process within a reasonable time frame.

9. The student's plan shall include a schedule for periodic review of the student's needs and indicate that this review may occur sooner at the request of the parent/guardian or school staff.

Review of the Student's Progress

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of students without disabilities are met. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

Procedural Safeguards

Parents/guardians shall be notified in writing of all district decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to: (34 CFR 104.36)

1. Examine relevant records
2. Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
3. Have a review procedure

(cf. 5145.6 - Parental Notifications)

## IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Notifications shall also set forth the procedures for requesting a hearing, the name, address and telephone number of the person with whom the request should be made, and the fact that reimbursement for attorney's fees is available only as authorized by law.

The Superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may initiate the following procedures:

1. Within 30 days of receiving the student's accommodation plan, set forth in writing his/her disagreement and request that the school principal and school 504 team review the plan in an attempt to resolve the disagreement. This review shall be held within 14 days of receiving the parent/guardian's request, and the parent/ guardian shall be invited to attend the meeting at which the review is conducted.

2. If disagreement continues, request in writing that the Superintendent or designee review the plan. This review shall be held within 14 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to meet with the Superintendent or designee to discuss the review.

3. If disagreement continues, request in writing a Section 504 due process hearing. The request shall include:

    a. The specific nature of the decision with which the parent/guardian disagrees

    b. The specific relief the parent/guardian seeks

    c. Any other information the parent/guardian believes pertinent

Within 20 days of receiving the parent/guardian's request, the Superintendent or designee shall select an impartial hearing officer. The 20 days may be extended for good cause or by mutual agreement of the parties.

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. The 45 days may be extended for good cause or by mutual agreement of the parties. The Superintendent or designee shall represent the district at this hearing.

Any party to the hearing shall be afforded the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students who are qualified as disabled under Section 504

2. Present written and oral evidence

3. Question and cross-examine witnesses

4. Receive written findings by the hearing officer

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

Date Adopted: January 9, 2008
Date Revised: June 7, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6170.1**

## TRANSITIONAL KINDERGARTEN

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

The district's TK program shall be the first year of a two-year kindergarten program. (EC 48000)

The advancement to first grade shall only be considered if, as reflected on the EESD Kindergarten Report Card, the student excels at the top of their class academically and demonstrates outstanding social, emotional and developmental skills.

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.
(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

Eligibility

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (EC 48000)

Parents/guardians of eligible children shall be notified of the availability of the TK program and the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.
(cf. 5111 - Admission)
(cf. 5111.1 - District Residency)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)

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

At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after December 2 of that same school year on a case by case basis, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's

**TRANSITIONAL KINDERGARTEN (continued)**

parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (EC 48000)

Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (EC 48000)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education. It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6011 - Academic Standards)
(cf. 6174 - Education for English Learners)

The Board shall establish the length(s) of the school day in the district's TK program. TK programs may be maintained for different lengths of time either at the same or different school sites, as long as the school day is at least three hours. The Superintendent or designee shall annually report to the California Department of Education as to whether the district's TK programs are offered full day, part day, or both. (EC 37202, 46111, 46117, 48003)
(cf. 6111 - School Calendar)
(cf. 6112 - School Day)

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

Staffing

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.
(cf. 4112.2 - Certification)

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2020, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the CTC. (EC 48000)

**TRANSITIONAL KINDERGARTEN (continued)**

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.
(cf. 4131 - Staff Development)

Continuation to Kindergarten

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

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

A student shall not attend more than two years in a combination of TK and kindergarten. (EC 46300)
(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.
(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)

Legal Reference:
EDUCATION CODE
8973 Extended-day kindergarten
37202 School calendar; equivalency of instructional minutes
44258.9 Assignment monitoring by county superintendent of schools
46111 Kindergarten, hours of attendance
46114-46119 Minimum school day, kindergarten
46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten
48000 Age of admission, kindergarten and transitional kindergarten
48002 Evidence of minimum age required to enter kindergarten or first grade
48003 Kindergarten annual report
48200 Compulsory education, starting at age six

**TRANSITIONAL KINDERGARTEN (continued)**

Management Resources:
CSBA PUBLICATIONS
What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Transitional Kindergarten FAQs
Desired Results Developmental Profile, 2015
Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013
California Preschool Curriculum Framework, Vol. 1, 2010
California Preschool Learning Foundations, Vol. 1, 2008
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Kindergarten Association: http://www.ckanet.org
Commission on Teacher Credentialing: http://www.ctc.ca.gov
Transitional Kindergarten California: http://www.tkcalifornia.org

(4/15 10/15) 10/17

Date Adopted: September 5, 2018
Date Revised: June 9, 2021

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6171**

## TITLE I PROGRAMS

The Governing Board desires to provide a high-quality education that enables all students to meet challenging state academic standards. In schools with a large number or percentage of economically disadvantaged families, the district shall use Title I funds to provide services that strengthen the academic program and provide support to students at risk of failing to achieve academic standards.
(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)

Title I funds shall be used to supplement, not supplant, funds available from state and local sources for the education of students participating in Title I programs. (20 USC 6314, 6321)

Descriptions of how the district will address the required components of the Title I local educational agency plan, as specified in 20 USC 6312, shall be included within the district's control and accountability plan (LCAP), the LCAP Federal Addendum, or another document. School-level strategies shall be aligned with the district's plan and be tailored to the specific needs of the students at the school.
(cf. 0420 - School Plans/Site Councils)
(cf. 0400 - Comprehensive Plans)
(cf. 0460 - Local Control and Accountability Plan)

In addition, the district and each school receiving Title I funds shall develop a written parent/guardian and family engagement policy in accordance with 20 USC 6318.
(cf. 6020 - Parent Involvement)

Comparability of Services

In schools receiving Title I funds, state and local funds shall be used to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

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

1. Adopt and implement a districtwide salary schedule

2. Ensure equivalence in teachers, administrators, and other staff, as measured by either or both of the following:

    a. The ratio of students to instructional staff at each Title I school within a grade span, which shall not exceed 110 percent of the average ratio for all non-Title I district schools within that grade span

**TITLE I PROGRAMS (Continued)**

b. Salary expenditures for instructional staff at each Title I school, which shall be no less than 90 percent of the average salary expenditure across non-Title I district schools.

3. Ensure equivalence in the provision of curriculum materials and instructional supplies, by determining whether the per-student expenditure of state and local funds for curriculum materials and instructional supplies in Title I schools is between 90 and 110 percent of the districtwide average

4. Determine whether the amount of state and local funds allocated per student for each grade span is between 90 and 110 percent of the per student average for each grade span in non-Title I schools
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

In determining comparability, the district shall not include staff salary differentials for years of employment. The district also may exclude unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year, state and local funds expended for language instruction educational programs, state and local funds expended for the excess costs of providing services to students with disabilities, and supplemental state or local funds expended in any school attendance area or school for programs that specifically meet the intent and purposes of Title I. (20 USC 6321)

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

Participation of Private School Students

The district shall provide or contract to provide special educational services, instructional services (including evaluations to determine the progress being made in meeting students' academic needs), counseling, mentoring, one-on-one tutoring, or other Title I benefits to eligible private school students residing in a participating school attendance area. Such services and benefits shall be provided on an equitable basis in comparison to services and other benefits for public school students. (20 USC 6320, 7881)

**INSTRUCTION** **BP 6171**

**TITLE I PROGRAMS (Continued)**

Program Evaluation

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

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

(11/02 8/06) 3/18

Date Adopted: March 10, 2004
Date Revised: December 7, 2005; November 1, 2006; September 5, 2018

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6171**

## TITLE I PROGRAMS

Schoolwide Programs

A school may operate a Title I schoolwide program in order to upgrade the entire educational program of the school when at least 40 percent of the students in the school attendance area, or at least 40 percent of the students enrolled in the school, are from low-income families. (20 USC 6314; 34 CFR 200.25)

A school that does not meet these criteria may operate a Title I schoolwide program if it receives a waiver from the California Department of Education. (20 USC 6314)

Any school operating a schoolwide program shall develop a comprehensive plan with the involvement of parents/guardians, other members of the community to be served, and individuals who will carry out the plan, including teachers, principals, other school leaders, paraprofessionals present in the school, administrators (including administrators of other federal education programs), the district, tribes and tribal organizations present in the community, and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, secondary school students as applicable, and other individuals determined by the school. (20 USC 6314)
(cf. 0400 - Comprehensive Plans)

The schoolwide program plan shall be based on a comprehensive needs assessment of the entire school and shall be incorporated into a single plan for student achievement which also incorporates the plans required for other categorical programs included in the state's consolidated application. (EC 64001; 20 USC 6314)
(cf. 0420 - School Plans/Site Councils)

The plan shall describe the strategies that the school will implement to address school needs, including a description of how such strategies will: (20 USC 6314)

1. Provide opportunities for all students, including economically disadvantaged students, ethnic subgroups, students with disabilities, and English learners, to meet state academic standards
   (cf. 6011 - Academic Standards)

2. Use methods and instructional strategies that strengthen the school's academic program, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum, which may include programs, activities, and courses necessary to provide a well-rounded education
   (cf. 5148.2 - Before/After School Programs)
   (cf. 6111 - School Calendar)
   (cf. 6112 - School Day)
   (cf. 6141 - Curriculum Development and Evaluation)
   (cf. 6177 - Summer Learning Programs)

**TITLE I PROGRAMS (Continued)**

3. Address the needs of all students in the school, but particularly the needs of those at risk of not meeting state academic standards, through activities which may include the following:

   a. Counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students' skills outside the academic subject areas
   (cf. 5141.6 - School Health Services)
   (cf. 6164.2 - Guidance/Counseling Services)
   (cf. 6164.5 - Student Success Teams)

   b. Preparation for and awareness of opportunities for postsecondary education and the workforce, which may include career and technical education programs and broadening secondary school students' access to coursework to earn postsecondary credit while still in high school
   (cf. 6141.4 - International Baccalaureate Program)
   (cf. 6141.5 - Advanced Placement)
   (cf. 6172.1 - Concurrent Enrollment in College Classes)
   (cf. 6178 - Career Technical Education)

   c. Implementation of a schoolwide tiered model to prevent and address problem behavior, and early intervention services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act

   d. Professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments and to recruit and retain effective teachers, particularly in high-need subjects
   (cf. 4111/4211/4311 - Recruitment and Selection)
   (cf. 4131 - Staff Development)
   (cf. 4222 - Teacher Aides/Paraprofessionals)
   (cf. 4231 - Staff Development)
   (cf. 4331 - Staff Development)

   e. Strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs
   (cf. 5148.3 - Preschool/Early Childhood Education)

The plan shall also include a description of any applicable federal, state, and local programs that will be consolidated in the schoolwide program. (20 USC 6314; 34 CFR 200.27)

The plan and its implementation shall be regularly monitored and revised as necessary based on student needs to ensure that all students are provided opportunities to meet state academic standards. (20 USC 6314)

**TITLE I PROGRAMS (Continued)**

Targeted Assistance Programs

Any school that receives Title I funds but does not operate a schoolwide program shall use Title I funds to provide services to eligible students who are failing, or most at risk of failing, to meet state academic standards. Students shall be identified on the basis of multiple, educationally related, objective criteria, except that students in preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the district and supplemented by the school. (20 USC 6315)

Eligible students include those who are economically disadvantaged; students with disabilities; migrant students, including those who participated in a migrant education program pursuant to 20 USC 6391-6399 in the preceding two years; English learners; students who participated in a Head Start or state preschool program in the preceding two years; students in a local institution for neglected or delinquent children and youth or attending a community day program for such students; and homeless students. (20 USC 6315)

Any targeted assistance program shall: (20 USC 6315)

1. Use program resources to help participating students meet state academic standards, which may include programs, activities, and academic courses necessary to provide a well-rounded education

2. Use methods and instructional strategies that strengthen the academic program, through activities which may include:

    a. Expanded learning time, before- and after-school programs, and summer programs and opportunities

    b. A schoolwide tiered model to prevent and address behavior problems, and early intervention services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act

3. Coordinate with and support the regular education program, which may include services to assist preschool students in the transition to elementary school programs

4. Provide professional development to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel and other school personnel who work with eligible students in Title I programs or in the regular education program. The professional development shall be provided using funds from Title I and, to the extent practicable, other sources.

**TITLE I PROGRAMS (Continued)**

5. Implement strategies to increase the involvement of parents/guardians of participating students

6. If appropriate and applicable, coordinate and integrate federal, state, and local services and programs, such as programs supported by the Elementary and Secondary Education Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career technical education programs, and comprehensive or targeted support and improvement activities under 20 USC 6311

7. Provide assurances to the Superintendent or designee that the program will:

    a. Help provide an accelerated, high-quality curriculum

    b. Minimize the removal of students from the regular classroom during regular school hours for instruction supported by Title I funds

    c. On an ongoing basis, review the progress of participating students and revise the targeted assistance program, if necessary, to provide additional assistance to enable such students to meet state academic standards

Participation of Private School Students

Teachers and families of participating private school students shall have an opportunity to participate, on an equitable basis, in parent/guardian and family engagement activities and professional development pursuant to 20 USC 6318. (20 USC 6320, 7881)

Each year the Superintendent or designee shall contact officials of private schools with students who reside within district boundaries, regardless of whether the private school they attend is located within the district or whether or not those officials have previously indicated any interest in program participation, and invite them to a meeting to discuss the intent of Title I and the roles of public and private school officials.

The Superintendent or designee shall consult with appropriate private school officials, in a meaningful and timely manner, during the design and development of the district's Title I programs, with the goal of reaching agreement on how to provide equitable and effective programs for eligible private school students. Such consultation shall occur before the district makes any decision that affects the opportunities of eligible private school students to participate in Title I programs and shall include consultation on issues such as the following: (20 USC 6320, 7881; 34 CFR 200.56)

**TITLE I PROGRAMS (Continued)**

1. How the needs of private school students will be identified

2. What services will be offered

3. How, where, and by whom the services will be provided

4. How the services will be academically assessed and how assessment results will be used to improve those services

5. The size and scope of the equitable services to be provided to eligible private school students, the proportion of funds to be allocated for such services, and how that proportion of funds is determined

6. The method or sources of data that are used to determine the number of students from low-income families in participating school attendance areas who attend private schools

7. How and when the district will make decisions about the delivery of services to such students, including a thorough consideration and analysis of the views of private school officials on the provision of services through a third-party provider

8. How, if the district disagrees with the views of private school officials on the provision of services through a third-party provider, the district will provide to private school officials a written analysis of the reasons that the district has chosen not to use a contractor

9. Whether the district will provide services directly or through a separate government agency, consortium, entity, or third-party contractor

10. Whether to provide services to eligible private school students by pooling funds or on a school-by-school basis

11. When services will be provided, including the approximate time of day

12. Whether to consolidate and use funds provided under Title I with other funds available for services to private school students

If the district disagrees with the views of private school officials with respect to any of the above issues, the district shall provide the officials, in writing, the reasons that the district disagrees. (20 USC 6320)

Meetings between district and private school officials shall continue throughout implementation and assessment of services. (20 USC 6320)

**TITLE I PROGRAMS (Continued)**

The district shall maintain, and shall provide to the CDE, a written affirmation signed by officials of each participating private school that consultation has occurred. The affirmation shall provide the option for private school officials to indicate their belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to private school students. If private school officials do not provide the affirmation within a reasonable period of time, the district shall send documentation to the CDE demonstrating that the consultation has, or attempts at such consultation have, taken place. (20 USC 6320)
(cf. 3580 - District Records)

The Superintendent or designee shall also maintain copies of program descriptions, notices, funding allocations, and other communications and records pertaining to the provision of services to private school students.

(8/06 5/16) 3/18

Date Adopted: March 10, 2004
Date Revised: December 7, 2005; November 1, 2006, April 1, 2015, September 5, 2018

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6172.1**

## CONCURRENT ENROLLMENT IN COLLEGE CLASSES

The Governing Board desires to provide opportunities for eligible district students to enroll concurrently in courses offered at postsecondary institutions in order to foster individual student achievement, increase opportunities for students to complete college preparatory course requirements or career technical education preparation, and prepare students for a smooth transition into college by providing exposure to the collegiate environment.
(cf. 6143 - Courses of Study)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

When it is determined that the postsecondary course in which the student intends to enroll is substantially equivalent to a course provided by the district, the student may receive credit toward high school graduation requirements in addition to credit received from the college.
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)

Approval of Concurrent Enrollment

The Board may approve a limited number of students of any age or grade level to apply for part-time or full-time concurrent enrollment in a community college or four-year college when it is determined to be in the student's best interest and the student is adequately prepared for such coursework.

Upon recommendation of the principal and with parent/guardian consent, the Board may authorize a student to apply for attendance at a community college during any session or term as a special part-time or full-time student and to undertake one or more courses of instruction offered at the community college level. (EC 48800)

Within the enrollment limits and exceptions allowed by law, the principal may recommend a student for community college summer session if that student demonstrates adequate preparation in the discipline to be studied and exhausts all opportunities to enroll in an equivalent course, if any, at his/her school of attendance. (EC 48800)
(cf. 6162.52 - High School Exit Examination)

Any student's parent/guardian may petition the Board to authorize full-time attendance at a community college if he/she believes the student would benefit from advanced scholastic or career technical work that would be available. (EC 48800.5)

If the Board denies a request for special part-time or full-time enrollment at a community college for a student who is identified as highly gifted and talented, the Board shall issue its written recommendation and the reasons for the denial at its next regularly scheduled Board meeting that falls at least 30 days, but within 60 days, after the request has been submitted. (EC 48800, 48800.5)

## CONCURRENT ENROLLMENT IN COLLEGE CLASSES (continued)

Program Evaluation

The Superintendent or designee may regularly report to the Board regarding the number of district students participating in the concurrent enrollment option, their success in completing in postsecondary courses, and any impact on their achievement in district courses.
(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6190 - Evaluation of the Instructional Program)

*Legal Reference:*
*EDUCATION CODE*
*46145-46147 Minimum day, high school*
*48800-48802 Enrollment of gifted students in community college*
*51225.3 Alternative means of satisfying graduation requirements*
*52200-52212 Gifted and talented education program*
*76000-76002 Enrollment in community college*

*Management Resources:*

*WEB SITES*
*California Community Colleges System: http://www.cccco.edu*
*California Department of Education: http://www.cde.ca.gov*
*California Postsecondary Education Commission: http://www.cpec.ca.gov*
*California State University: http://www.calstate.edu*
*Foundation for California Community Colleges, Early College High School Initiative: http://www.foundationccc.org/ECHS*
*University of California: http://www.universityofcalifornia.edu*

7/08

Date Adopted: June 7, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6172.1**

## CONCURRENT ENROLLMENT IN COLLEGE CLASSES

Credit

Special part-time students may enroll in up to 11 units per semester, or the equivalent, in a community college. Such students shall receive credit for community college courses that they complete in an amount jointly determined appropriate by the district and the community college governing board. (EC 48800, 76001)
(cf. 6146.11 - Alternative Credits Toward Graduation)

A written agreement regarding the student's enrollment in postsecondary courses and the credits to be awarded for successful completion shall be signed by the student, parent/guardian, principal, and college representative. The student shall be informed whether the credits to be earned are considered academic credits or elective credits and whether the course would need to be completed again during the college years to satisfy college requirements.

To receive district credit for coursework completed at a community college or four-year college, the student or parent/guardian shall submit a transcript showing completion of the course with a passing grade.
(cf. 5125 - Student Records)

Minimum School Day

Except under the conditions specified in Education Code 46146, the minimum day of attendance in district schools shall be 180 minutes for any student who is enrolled part-time in a community college and any student in grades 11-12 who is enrolled part-time in the California State University or University of California, when the student is enrolled in classes for which academic credit will be provided upon satisfactory completion of enrolled courses. (EC 46146, 48801)
(cf. 6112 - School Day)

A student enrolled full-time at a community college shall be exempted from full-time attendance in the district's regular education program. (EC 48800.5)
(cf. 5112.1 - Exemptions from Attendance)

However, both part-time and full-time community college students shall be required to undertake courses of instruction of a scope and duration sufficient to satisfy the requirements of law. (EC 48800.5, 48801)

7/08

Date Adopted: June 7, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6173**

## EDUCATION FOR HOMELESS CHILDREN

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for them to meet the same challenging academic standards as other students.
(cf. 6011 - Academic Standards)

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.
(cf. 3553 - Free and Reduced Price Meals)

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

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (Education Code 52052, 52060)
(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee may report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to better support the education of homeless students.
(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)

## EDUCATION FOR HOMELESS CHILDREN (continued)

Legal Reference:
*EDUCATION CODE*
*2558.2 Use of revenue limits to determine average daily attendance of homeless children*
*39807.5 Payment of transportation costs by parents*
*48850 Educational rights; participation in extracurricular activities*
*48852.5 Notice of educational rights of homeless students*
*48852.7 Enrollment of homeless students*
*48915.5 Recommended expulsion, homeless student with disabilities*
*48918.1 Notice of recommended expulsion*
*51225.1-51225.3 Graduation requirements*
*52060-52077 Local control and accountability plan*
*CODE OF REGULATIONS, TITLE 5*
*4600-4687 Uniform complaint procedures*
*UNITED STATES CODE, TITLE 42*
*11431-11435 McKinney-Vento Homeless Assistance Act*

*Management Resources:*
*CALIFORNIA CHILD WELFARE COUNCIL*
*Partial Credit Model Policy and Practice Recommendations*
*CALIFORNIA DEPARTMENT OF EDUCATION*
*Homeless Education Dispute Resolution Process, January 30, 2007*
*NATIONAL CENTER FOR HOMELESS EDUCATION PUBLICATIONS*
*Homeless Liaison Toolkit, 2013*
*U.S. DEPARTMENT OF EDUCATION GUIDANCE*
*Education for Homeless Children and Youth Program, Non-Regulatory Guidance, July 2004*
*WEB SITES*
*California Child Welfare Council: http://www.chhs.ca.gov/Pages/CAChildWelfareCouncil.aspx*
*California Department of Education, Homeless Children and Youth Education: http://www.cde.ca.gov/sp/hs/cy*
*National Center for Homeless Education at SERVE: http://www.serve.org/nche*
*National Law Center on Homelessness and Poverty: http://www.nlchp.org*
*U.S. Department of Education: http://www.ed.gov/programs/homeless/index.html*

(7/02 7/05) 12/15

Date Adopted: June 25, 2003
Date Revised: January 6, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6173**

## EDUCATION FOR HOMELESS CHILDREN

Definitions

Homeless students means students who lack a fixed, regular, and adequate nighttime residence and includes: (EC 48852.7; 42 USC 11434a)

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement
(cf. 6173.1 - Education for Foster Youth)

2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings

3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings

4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above

5. Unaccompanied youth who are not in the physical custody of a parent or guardian

School of origin means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled. If the school the homeless student attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that he/she attended within the preceding 15 months and with which he/she is connected, the district liaison shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. (EC 48852.7)

Best interest means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (EC 48850, 48853; 42 USC 11432)

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6173**

**EDUCATION FOR HOMELESS CHILDREN (continued)**

District Liaison

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)

**Assistant Superintendent of Instructional Services**
**1155 Mistletoe Lane, Redding, CA 96002**
**530-224-4100**
**info@eesd.net**

The district's liaison for homeless students shall: (EC 48852.5; 42 USC 11432)

1. Ensure that homeless students are identified by school personnel and through coordinated activities with other entities and agencies

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3553 - Free and Reduced-Price Meals)
(cf. 5141.6 - School Health Services)

2. Ensure that homeless students enroll in, and have a full and equal opportunity to succeed in, district schools

3. Ensure that homeless families and students receive educational services for which they are eligible

4. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children

(cf. 5145.6 - Parental Notifications)

5. Disseminate notice of the educational rights of homeless students in district schools that provide services to homeless children and at places where they receive services, such as schools, family shelters, and hunger relief agencies (soup kitchens)

6. Mediate enrollment disputes in accordance with law, Board policy, and administrative regulation

7. Fully inform parents/guardians of all transportation services

(cf. 3250 - Transportation Fees)
(cf. 3541 - Transportation Routes and Services)

8. When notified pursuant to EC 48918.1, assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion

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

**EDUCATION FOR HOMELESS CHILDREN (continued)**

9. When notified pursuant to EC 48915.5, participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159 - Individualized Education Program)

10. Assist a homeless student to obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records

Enrollment

The district shall make placement decisions for homeless students based on the student's best interest. (42 USC 11432)

When making a placement decision for a homeless student, the Superintendent or designee may consider the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

In the case of an unaccompanied youth, the liaison shall assist in placement or enrollment decisions, consider the views of the student, and provide notice to the student of his/her appeal rights. (42 USC 11432)

In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (EC 48852.7; 42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if he/she: (EC 48852.7; 42 USC 11432)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

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

2. Does not have clothing normally required by the school, such as school uniforms

(cf. 5132 - Dress and Grooming)

**EDUCATION FOR HOMELESS CHILDREN (continued)**

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, records or other proof of immunization history

(cf. 5111 - Admission)
(cf. 5111.1 - District Residency)
(cf. 5125 - Student Records)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the principal or designee shall refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if he/she is an unaccompanied youth, in obtaining the necessary immunizations or records for the student. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian, the Superintendent or designee shall provide the parent/guardian with a written explanation of the decision along with a statement regarding the parent/guardian's right to appeal the placement decision. (42 USC 11432)

The student may continue attending his/her school of origin for the duration of the homelessness. (EC 48852.7; 42 USC 11432)

To ensure that the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply: (EC 48852.7)

1. If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.

2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, he/she shall be allowed to continue to the school designated for matriculation in that district.

If the student's status changes before the end of the school year so that he/she is no longer homeless, he/she shall be allowed to stay in the school of origin through the duration of the school year if he/she is in grades K-8. (EC 48852.7)

## EDUCATION FOR HOMELESS CHILDREN (continued)

Resolving Enrollment Disputes

If a dispute arises over school selection or enrollment in a particular school, the student shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute. (42 USC 11432)

The parent/guardian shall be provided with a written explanation of the placement decision, which shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand. The written explanation shall include:

1. The district liaison's contact information

2. A description of the district's placement decision

3. Notice of the student's right to enroll in the school of choice pending resolution of the dispute, including the right to fully participate in all school activities

4. Notice of the parent/guardian's right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education

The district liaison shall work to resolve an enrollment dispute as expeditiously as possible after receiving notice of the dispute. (42 USC 11432)

In working with a student's parents/guardians to resolve an enrollment dispute, the district liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position

2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved

3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process

4. Provide them a copy of the dispute form they submit for their records

5. Provide them the outcome of the dispute for their records

If a parent/guardian disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.

**EDUCATION FOR HOMELESS CHILDREN (continued)**

If the parent/guardian chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education.

Transportation

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)
(cf. 3250 - Transportation Fees)
(cf. 3541 - Transportation Routes and Services)

The district shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless, unless the formerly homeless student has an individualized education program that includes transportation as a necessary related service for the student. (EC 48852.7)

Eligibility for Extracurricular Activities

A homeless student who enrolls in any district school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (EC 48850)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Notification and Complaints

Information regarding the educational rights of homeless students, as specified in EC 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (EC 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of homeless students, as specified in EC 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.
(cf. 1312.3 - Uniform Complaint Procedures)

(7/05 12/14) 12/15

Date Adopted: June 25, 2003
Date Revised: October 6, 2004, January 6, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6173.1**

## EDUCATION FOR FOSTER YOUTH

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

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5147 - Dropout Prevention)
(cf. 6011- Academic Standards)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6173 - Education for Homeless Children)
(cf. 6179 - Supplemental Instruction)

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

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

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

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

## EDUCATION FOR FOSTER YOUTH (continued)

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.
(cf. 1020 - Youth Services)

## EDUCATION FOR FOSTER YOUTH (continued)

Legal Reference:
EDUCATION CODE
32228-32228.5 Student safety and violence prevention
42238.01-42238.07 Local control funding formula
42920-42925 Foster children educational services
48645-48646 Juvenile court schools
48850-48859 Educational placement of students residing in licensed children's institutions
48915.5 Suspension and expulsion; students with disabilities, including foster youth
48918.1 Notice of expulsion hearing for foster youth
49061 Student records
49069.5 Foster care students, transfer of records
49076 Access to student records
51225.1 Exemption from district graduation requirements
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
52052 Definition of numerically significant student subgroups
52060-52077 Local control and accountability plan
56055 Rights of foster parents in special education
60851 High school exit examination
HEALTH AND SAFETY CODE
1522.41 Training and certification of group home administrators
1529.2 Training of licensed foster parents
120341 Foster youth: school placement: immunization records
WELFARE AND INSTITUTIONS CODE
300 Children subject to jurisdiction
309 Investigation and release of child
317 Appointment of legal counsel
361 Limitations on parental or guardian control
366.27 Educational decision by relative providing living arrangements
602 Minors violating law; ward of court
726 Limitations on parental or guardian control
727 Order of care, ward of court
16000-16014 Foster care placement
UNITED STATES CODE, TITLE 20
1415 Procedural safeguards; placement in alternative educational setting
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
UNITED STATES CODE, TITLE 42
670-679b Federal assistance for foster care programs
11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:
CSBA PUBLICATIONS
Educating Foster Youth: Best Practices and Board Considerations, Policy Brief, March 2008
AMERICAN BAR ASSOCIATION PUBLICATIONS
Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care, 2005
CALIFORNIA CHILD WELFARE COUNCIL
Partial Credit Model Policy and Practice Recommendations
CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS
Our Children: Emancipating Foster Youth, A Community Action Guide
WEB SITES
CSBA: http://www.csba.org
American Bar Association: http://www.americanbar.org
California Child Welfare Council: http://www.chhs.ca.gov/Pages/CAChildWelfareCouncil.aspx
California Department of Education, Foster Youth Services: http://www.cde.ca.gov/ls/pf/fy
California Department of Social Services, Foster Youth Ombudsman Office: http://www.fosteryouthhelp.ca.gov
California Youth Connection: http://www.calyouthconn.org/site/cyc
Cities, Counties and Schools Partnership: http://www.ccspartnership.org

(3/08 11/09) 12/13

Date Adopted: January 6, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6173.1**

## EDUCATION FOR FOSTER YOUTH

Definitions

Foster youth means a child who has been removed from his/her home pursuant to Welfare and Institutions Code 309, is the subject of a petition filed under Welfare and Institutions Code 300 or 602, or has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602 or is a nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in EC 42238.01. (EC 42238.01, 48853.5)

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison for foster youth shall determine, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, and in the best interests of the foster youth, which school is the school of origin. (EC 48853.5)

Best interests means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (EC 48850, 48853)

District Liaison

The Superintendent designates the following position as the district's liaison for foster youth: (EC 48853.5)

**Assistant Superintendent of Instructional Services**
**1155 Mistletoe Lane, Redding, CA 96002**
**530-224-4100**
**info@eesd.net**

(cf. 6173 - Education for Homeless Children)

## EDUCATION FOR FOSTER YOUTH (continued)

The liaison/designee for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care (EC 48853.5)

2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (EC 48645.5, 48853.5)

   When a student in foster care is enrolling in a district school, the liaison/designee shall contact the school last attended by the student to obtain, within two business days, all academic and other records. When a foster youth is transferring to a new school, the liaison/designee shall provide the student's records to the new school within two business days of receiving the new school's request. (EC 48853.5)

(cf. 5125 - Student Records)
(cf. 6146.3 - Reciprocity of Academic Credit)

3. When required by law, notify the foster youth's attorney and the representative of the appropriate county child welfare agency when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination prior to a change in the foster youth's placement, when he/she is a student with a disability. (EC 48853.5, 48911, 48915.5, 48918.1)

(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services

(cf. 5141.6 - School Health Services)
(cf. 5148.2 - Before/After School Programs)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6174 - Education for English Language Learners)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

6. Develop protocols and procedures for creating awareness for district staff, including principals, school registrars, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth

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

**EDUCATION FOR FOSTER YOUTH (continued)**

7. Collaborate with the county office of education, county placing agency, county child welfare agency, county probation department, juvenile court, and other appropriate agencies to help coordinate services for the district's foster youth

(cf. 1020 - Youth Services)
(cf. 5113.1 - Chronic Absence and Truancy)

8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the district's local control and accountability plan

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall regularly monitor the caseload of the liaison, as well as his/her additional duties outside of the foster youth program, to determine whether adequate time and resources are available to meet the needs of foster youth in the district.

Enrollment

A student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (EC 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency.

(cf. 6159 - Individualized Education Program)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program and submits a written statement to the district indicating that determination and that he/she is aware of the following:

   a. The student has a right to attend a regular public school in the least restrictive environment.

   b. The alternate educational program is a special education program, if applicable.

   c. The decision to unilaterally remove the student from the district school and to place him/her in an alternate education program may not be financed by the district.

   d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

**EDUCATION FOR FOSTER YOUTH (continued)**

3. At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above.

   a. The student may continue in the school of origin for the duration of the court's jurisdiction.

   b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in his/her school of origin for the remainder of the school year.

   c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in his/her school of origin until he/she graduates.

   d. If the student is transitioning between school grade levels, he/she shall be allowed to continue in the district of origin in the same attendance area to provide him/her the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The district liaison/designee may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests. (EC 48853.5)

Prior to making any recommendation to move a foster youth from his/her school of origin, the liaison/designee shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how the recommendation serves the youth's best interests. (EC 48853.5)

The role of the liaison/designee shall be advisory with respect to placement decisions and determination of the school of origin. (EC 48853.5)

If the liaison/designee, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The foster youth shall be immediately enrolled even if he/she: (EC 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

**EDUCATION FOR FOSTER YOUTH (continued)**

2. Does not have clothing normally required by the school, such as school uniforms
(cf. 5132 - Dress and Grooming)

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation
(cf. 5111.1 - District Residency)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)

If the foster youth or a person with the right to make educational decisions for the foster youth disagrees with the liaison's/designee's enrollment recommendation, he/she may appeal to the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.
(cf. 9320 - Meetings and Notices)

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (EC 48853.5)

Transportation

Upon request, the district may provide transportation for a foster youth to and from his/her school of origin when the student is residing within the district and the school of origin is within district boundaries.
(cf. 3540 - Transportation)
(cf. 3541 - Transportation Routes and Services)

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (EC 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date he/she left school

2. A verified court appearance or related court-ordered activity
(cf. 5121 - Grades/Evaluation of Student Achievement)

**EDUCATION FOR FOSTER YOUTH (continued)**

Eligibility for Extracurricular Activities

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (EC 48850)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Notification and Complaints

Information regarding the educational rights of foster youth shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (EC 48853, 48853.5, 49069.5, 51225.1, 51225.2)
(cf. 5145.6 - Parental Notifications)

Any complaint that the district has not complied with requirements regarding the education of foster youth may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. If the district finds merit in a complaint, the district shall provide a remedy to the affected student. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. If the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (EC 48853, 48853.5, 49069.5, 51225.1, 51225.2)
(cf. 1312.3 - Uniform Complaint Procedures)

(11/12 12/13) 12/15

Date Adopted: January 6, 2016

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6174**

## EDUCATION FOR ENGLISH LEARNERS

The Governing Board intends to provide English learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the district's regular course of study.

English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level. Such instruction shall be based on sound instructional theory, be aligned with state content standards, emphasize inquiry-based learning and critical thinking skills, and be integrated across all subject areas.
(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6171 - Title I Programs)

No middle or high school student who is an English learner shall be denied enrollment in any of the following: (EC 60811.8)

1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history-social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion

However, an English learner may be denied participation in any such course if the student has been enrolled in a school in the United States for less than 12 months or is enrolled in a program designed to develop the basic English skills of newly arrived immigrant students, and the course of study provided to the student is designed to remedy academic deficits incurred during participation and to enable the student to attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. A full course load of courses specified in item #1 above

3. Other courses that meet the "a-g" course requirements for college admission or are advanced courses such as honors or Advanced Placement courses, on the sole basis of the student's classification as an English learner
   (cf. 0415 - Equity)
   (cf. 6141.4 - International Baccalaureate Program)
   (cf. 6141.5 - Advanced Placement)

The district shall identify in its local control and accountability plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.
(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

The Superintendent or designee shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners. The Superintendent or designee may also provide an English development literacy training program for parents/guardians and community members so that they may better support students' English language development.
(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

## EDUCATION FOR ENGLISH LEARNERS (CONTINUED)

Staff Qualifications and Training

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.
(cf. 4112.22 - Staff Teaching English Learners)

The district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

Identification and Assessment

The Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency using the state's English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the Superintendent or designee shall annually designate a district ELPAC coordinator and a site coordinator for each test site in accordance with 5 CCR 11518.40-11518.45.

Once identified as an English learner, a student shall be annually assessed for language proficiency until the student is reclassified based on criteria specified in the accompanying administrative regulation.

In addition, English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5 CCR 854.1-854.3. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (EC 60603, 60640; 5 CCR 854.1-854.3)
(cf. 6162.51 - State Academic Achievement Tests)

Formative assessments may be utilized to analyze student performance and appropriately adapt teaching methodologies and instructions.
(cf. 6162.5 - Student Assessment)

Language Acquisition Programs

The district shall offer research-based language acquisition programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. (EC 306; 5 CCR 11300)

## EDUCATION FOR ENGLISH LEARNERS (CONTINUED)

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (EC 305-306; 5 CCR 11309)

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (EC 305-306)

1. A dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding
   (cf. 6142.2 - World Language Instruction)

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (EC 310)
(cf. 6151 - Class Size)

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. The Superintendent or designee shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (EC 305)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (EC 310; 5 CCR 11310)
(cf. 5145.6 - Parental Notifications)

Whenever a student is identified as an English learner based on the results of the ELPAC, the student's parents/guardians may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (EC 310; 5 CCR 11311)

Reclassification

When an English learner is determined based on state and district reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

**INSTRUCTION** **BP 6174**

## EDUCATION FOR ENGLISH LEARNERS (CONTINUED)

Program Evaluation

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR 11309
6. Progress toward any other goals for English learners identified in the district's LCAP
7. A comparison of current data with data from at least the previous year in regard to items #1-6 above
8. A comparison of data between the different language acquisition programs offered by the district

The Superintendent or designee shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Legal Reference:
EDUCATION CODE
300-340 English language education, especially:
305-310 Language acquisition programs
313-313.5 Assessment of English proficiency
430-446 English Learner and Immigrant Pupil Federal Conformity Act
33050 State Board of Education waiver authority
42238.02-42238.03 Local control funding formula
44253.1-44253.11 Qualifications for teaching English learners
48980 Parental notifications
48985 Notices to parents in language other than English
52052 Accountability; numerically significant student subgroups
52060-52077 Local control and accountability plan
52160-52178 Bilingual Bicultural Act
56305 CDE manual on English learners with disabilities
60603 Definition, recently arrived English learner
60640 California Assessment of Student Performance and Progress
60811-60812 Assessment of English language development
62002.5 Continuation of advisory committee after program sunsets
CODE OF REGULATIONS, TITLE 5
854.1-854.3 CAASPP and universal tools, designated supports, and accommodations
854.9 CASSPP and unlisted resources for students with disabilities
11300-11316 English learner education
11517.6-11519.5 English Language Proficiency Assessments for California
UNITED STATES CODE, TITLE 20
1412 Individuals with Disabilities Education Act; state eligibility
1701-1705 Equal Educational Opportunities Act
6311 Title I state plan
6312 Title I local education agency plans
6801-7014 Title III, language instruction for English learners and immigrant students
7801 Definitions
CODE OF FEDERAL REGULATIONS, TITLE 34
100.3 Discrimination prohibited
200.16 Assessment of English learners
COURT DECISIONS
Valeria O. v. Davis, (2002) 307 F.3d 1036
California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141
McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196
Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698
ATTORNEY GENERAL OPINIONS
83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:
CSBA PUBLICATIONS
English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018

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English Learners in Focus, Issue 4: Expanding Bilingual Education in California after Proposition 58, Governance Brief, March 2017
English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016
English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016
English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California Practitioners' Guide for Educating English Learners with Disabilities, 2019
California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, 2018
Matrix One: Universal Tools, Designated Supports, and Accommodations for the California Assessment of Student Performance and Progress for 2017-18, rev. August 2017
Reclassification Guidance for 2017-18, CDE Correspondence, April 28, 2017
Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015
Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, rev. March 2015
English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014
Common Core State Standards for Mathematics, rev. 2013
English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012
THE EDUCATION TRUST- WEST PUBLICATIONS
Unlocking Learning II: Math as a Lever for English Learner Equity, March 2018
Unlocking Learning: Science as a Lever for English Learner Equity, January 2017
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017
Innovative Solutions for Including Recently Arrived English Learners in State Accountability Systems: A Guide for States, January 2017
English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016
English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016
Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015
WEB SITES
CSBA: http://www.csba.org
California Association for Bilingual Education: http://www.gocabe.org
California Department of Education: http://www.cde.ca.gov/sp/el
National Clearinghouse for English Language Acquisition: http://www.ncela.us
The Education Trust-West: http://west.edtrust.org
U.S. Department of Education: http://www.ed.gov

(3/17 7/18) 7/19

Date Adopted: November 4, 2020

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6174**

## EDUCATION FOR ENGLISH LEARNERS

Definitions

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (EC 306; 20 USC 7801)

Designated English language development means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR 11300)

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR 11300)

Native speaker of English means a student who has learned and used English at home from early childhood and English has been the primary means of concept formation and communication. (EC 306)

Identification and Assessments

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (EC 52164.1; 5 CCR 11307, 11518.5)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC. (EC 313, 52164.1; 5 CCR 11518.5)

Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.35.
(cf. 6159 - Individualized Education Program)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6164.6 - Identification and Education Under Section 504)

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student

met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (EC 313)

The Superintendent or designee shall notify parents/guardians of their child's results on the summative assessment of the ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (EC 52164.1; 5 CCR 11518.15)
(cf. 5145.6 - Parental Notifications)

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of the student's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (EC 313.2, 440; 20 USC 6312)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program

2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement

3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:

   a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction

   b. The manner in which the program will meet the educational strengths and needs of the student

   c. The manner in which the program will help the student develop English proficiency and meet age-appropriate academic standards for grade promotion and graduation

   d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable

   e. When the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards

5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request

6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available

7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Language Acquisition Programs

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.

2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.

3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:

    a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program

    b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals

    c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators
    d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

**INSTRUCTION** **AR 6174**

## EDUCATION FOR ENGLISH LEARNERS

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR 11309, 11310)

1. A description of the programs provided, including structured English immersion

2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English

3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development

4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals

5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language

6. The process to request establishment of a language acquisition program not offered at the school

7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

The district shall provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers and academic deficits in other areas of the core curriculum. (5 CCR 11302)

Reclassification/Redesignation

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (EC 52164.6)

The procedures used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (EC 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC

2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student

3. Parent/guardian involvement, including:

   a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate

   b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305)
(cf. 5125 - Student Records)

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

The Superintendent or designee shall monitor students for at least four years following their reclassification to ensure correct classification and placement and to determine whether any additional academic support is needed.

Advisory Committees

A school-level English Learner Advisory Committee (ELAC) shall be established when there are more than 20 English learners at the school. Parents/guardians of English learners, elected by parents/guardians of English learners at the school, shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership. (EC 52176; 5 CCR 11308)

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (EC 52176)

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of an existing districtwide advisory committee on which parents/guardians of English learners have membership in at least the same percentage as English learners represent of the total number of students in the district. (EC 52176)

The DELAC shall advise the Board on at least the following tasks: (5 CCR 11308)

1. Developing a district master plan for education programs and services for English learners, taking into consideration the school site plans for English learners

2. Conducting a districtwide needs assessment on a school-by-school basis

3. Establishing a district program, goals, and objectives for programs and services for English learners

4. Developing a plan to ensure compliance with applicable teacher or instructional aide requirements

5. Administering the annual language census

6. Reviewing and commenting on the district's reclassification procedures

7. Reviewing and commenting on the required written parental notifications
(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

LCAP Advisory Committee

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (EC 52063; 5 CCR 11301, 15495)
(cf. 0460 - Local Control and Accountability Plan)

The DELAC may also serve as the LCAP English learner advisory committee.

(7/18 7/19) 12/19

Date Adopted: November 4, 2020

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6176**

## WEEKEND/SATURDAY CLASSES

The Governing Board desires to increase educational opportunities outside the regular school week in order to meet student needs and promote academic achievement. When staffing, facilities, and other resources are available, the Board may approve the provision of classes on Saturday and/or Sunday that support and are integrated with other learning opportunities.
(cf. 5148.2 - Before/After School Programs)
(cf. 6111 - School Calendar)

Weekend classes may include, but are not limited to:

1. Continuation classes (EC 37223)
(cf. 6184 - Continuation Education)

2. Special day classes for mentally gifted minors (EC 37223)
(cf. 6172 - Gifted and Talented Student Program)

3. Makeup classes for absences occurring during the week (EC 37223)
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 6154 - Homework/Makeup Work)

4. The programs of a regional occupational center or program (ROC/P) (EC 37223)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

***Note: Items #5-6 below are optional.***

5. Supplemental instruction for students who need additional assistance to meet academic standards or requirements
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6179 - Supplemental Instruction)

6. Enrichment classes in core academic subjects
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)

Except in ROC/Ps and as otherwise provided by law, any class offered on a Saturday or Sunday pursuant to Education Code 37223, shall be one offered during the regular Monday through Friday school week. (EC 37223)

Except in ROC/Ps, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (EC 37223)

**INSTRUCTION** **BP 6176**

## WEEKEND/SATURDAY CLASSES (continued)

Attendance at weekend classes offered pursuant to Education Code 37223 shall be voluntary, except that truants, as defined in Education Code 48260, may be required to attend classes on one day of a weekend in order to make up lost instructional time. (EC 37223)

A student shall be excused from a weekend class if the student's parent/guardian notifies the school in writing that such attendance would be in conflict with his/her religious beliefs. Such students shall be given priority for enrollment in any other available supplemental instruction offered at a time other than during the weekend.
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

A teacher shall not be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, a full-time teacher employed by the district prior to the implementation of weekend classes shall not be required, without his/her consent, to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes, whichever is greater. (EC 44824)
(cf. 4113 - Assignment)

Unless the requirement is waived by the California Department of Education, the district shall provide at least one nutritionally adequate meal during the weekend session in accordance with Education Code 49550.
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3553 - Free and Reduced-Price Meals)
(cf. 5030 - Student Wellness)

Legal Reference:
EDUCATION CODE
37223 Weekend classes
41601 Reports of average daily attendance
44824 Weekend classes, assignment of certificated employees
48070-48070.5 Promotion and retention, supplemental instruction
48205 Excused absence for personal reasons
48260 Truants, definition
49550 Meals for needy students
52060-52077 Local control and accountability plan

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Requesting a Summer School Meal Waiver and/or a Saturday School Meal Waiver, Nutrition Services Division Management Bulletin NSD-SNP-03-2013, February 2013
WEB SITES
California Department of Education: http://www.cde.ca.gov

(11/00 12/13) 3/17
Date Adopted: June 7, 2017

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6183**

## HOME AND HOSPITAL INSTRUCTION

A student with a temporary disability which makes school attendance impossible or inadvisable shall be entitled to receive individual instruction at home or in a hospital or other residential health facility, excluding state hospitals. (EC 48206.3)

Temporary disability means a physical, mental, or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program, and after which the student can reasonably be expected to return to regular day classes or the alternative education program in which the student is enrolled. Temporary disability does not include a disability that would qualify a student for special education pursuant to Education Code 56026. (EC 48206.3)

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of district students regarding: (EC 48206.3, 48208, 48980)

1. The availability of individual instruction for any student with a temporary disability, including information regarding student eligibility for, and the duration of, individual instruction

2. The rights and responsibilities of parents/guardians of any student with a temporary disability pursuant to Education Code 48207 and 48208

Parents/guardians shall notify the principal or designee when their child is temporarily disabled and needs individual instruction at home or in a hospital or other residential health facility.

### Determination of Student Eligibility

Not later than five working days after receiving notification from a parent/guardian that a student has a temporary disability, the Superintendent or designee shall determine whether the student will be able to receive individual instruction at home or in a hospital or residential health facility. (EC 48208)

The Superintendent or designee may require verification through any reasonable means that the student is temporarily disabled and needs individual instruction.

### Provision of Individual Instruction

Individual instruction at a student's home or in a hospital or other residential health facility shall begin no later than five working days after the Superintendent or designee makes the determination that the student is eligible to receive individual instruction. (EC 48207.5, 48208)

The district shall be responsible for providing individual instruction to any temporarily disabled

## HOME AND HOSPITAL INSTRUCTION (continued)

student who is in a hospital or other residential health facility located within district boundaries, whether or not the student is enrolled in the district. If the student is enrolled in another district, the Superintendent or designee may enter into an agreement to have the student's district of residence provide the individual instruction. The Superintendent or designee may also enter into an agreement to provide individual instruction to a district student who is in a hospital or other residential health facility located within the boundaries of another district. (EC 48208)

Whenever the district provides individual instruction to a non-district student who is in a hospital or other residential health facility located within district boundaries, the Superintendent or designee shall, within five working days of the beginning of the individual instruction, provide written notification to the student's district of residence that, effective on the date on which individual instruction began, the district of residence may not count the student for purposes of computing that district's average daily attendance. (EC 48208)

A student receiving individual instruction in a hospital or residential health facility for a partial week shall be entitled to attend school or receive individual instruction at home on days in which the student is not receiving individual instruction in the hospital or other residential health facility, if the student is well enough to do so. (EC 48207.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (EC 44865)

Insofar as possible, the teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

The district's attendance supervisor shall ensure that the absences of any temporarily disabled student receiving individual instruction at home or in a hospital or other residential health facility are excused until the student is able to return to the regular school program. (EC 48240)

### Return to School

A student receiving individual instruction who is well enough to return to school shall be allowed to return to the school that the student attended immediately before receiving individual instruction, if the return occurs during the school year in which the individual instruction was initiated. (EC 48207.3)

Date Adopted: December 9, 2015
Date Revised: March 5, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6185**

## ALTERNATIVE EDUCATIONAL OPTIONS

The Governing Board recognizes the need to provide an appropriate alternative educational option for expelled students referred by probation pursuant to Welfare and Institutions Code 300 or 602, and students referred by a school attendance review board or another district-level referral process. The district's community day school program or an alternative placement in another comprehensive or continuation school shall be designed to meet the needs of these students and ensure academic progress necessary for their success when returned to a regular school environment. (EC 1981(B))
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

The Superintendent or designee shall collaborate with the County Superintendent of Schools and, as appropriate, other districts within the county to develop, for Board adoption, a plan for providing education services and appropriate placements to all expelled students in the county. (EC 48926)

The district's community day school program or an alternative placement at another comprehensive or continuation school shall be designed to give students substantial individual help with their problems. To the extent possible, the program shall include:

1. Cooperation with the county office of education, law enforcement, probation, and human services agencies personnel who work with at-risk youth

2. Low student-teacher ratio

3. Individualized instruction and assessment

4. Maximum collaboration with district support service resources, including, but not limited to, school counselors and psychologists, academic counselors, and student discipline personnel
   (cf. 0400 - Comprehensive Plans)
   (cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall establish procedures for the involuntary transfer of students to a community day school or alternate placement in another comprehensive or continuation school in accordance with law. (EC 48662)(EC 1981(b))

The Superintendent or designee may require students to attend school for up to seven days each week in a directed program designed to provide students with the skills and attitudes necessary for success when they are returned to a regular school environment. (EC 48666)

**INSTRUCTION** **BP 6185**

**ALTERNATIVE EDUCATIONAL OPTIONS (continued)**

A community day school shall not be situated on the same site as a regular district elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school, except when allowed by law and when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for the community day school. Such Board certification shall be valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the Board. (EC 48661)
(cf. 9323.2 - Actions by the Board)

Community day schools shall be operated in safe, well-maintained facilities that meet the requirements of Education Code 17292.5.

The Superintendent or designee shall regularly report to the Board regarding the academic performance and other outcomes of students enrolled in a community day school, comprehensive or continuation school.
(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:
EDUCATION CODE
1980-1986 County community schools
17085-17096 Emergency portable facilities
17280-17316 Field Act, approvals
17365-17374 Field Act, fitness of occupancy
48260-48273 Truants
48660-48666 Community day schools
48900-48926 Suspension or expulsion
52052 Accountability
52064.5 Program evaluation; state evaluation rubrics
WELFARE AND INSTITUTIONS CODE
300 Minors subject to jurisdiction
602 Minors violating laws defining crime; ward of court
CALIFORNIA CODE OF REGULATIONS, TITLE 5
1068-1074 Alternative schools accountability systems
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
CODE OF FEDERAL REGULATIONS, TITLE 34
104.35 Evaluation and placement of students with disabilities
Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Guidelines for Establishing a Community Day School
WEB SITES
California Department of Education: http://www.cde.ca.gov/sp/eo/cd

(2/97 3/00) 10/16
Board Adopted: January 8, 2020

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6185**

## ALTERNATIVE EDUCATIONAL OPTIONS

Involuntary Transfer

The Superintendent or designee may assign a student to a community day school or alternate placement in another comprehensive or continuation school if the student meets one or more of the following conditions: (EC 48662) (EC 1981(b))

1. The student is expelled for any reason.
   (cf. 5144.1 - Suspension and Expulsion/Due Process)

2. The student is probation-referred pursuant to Welfare and Institutions Code 300 or 602.

3. The student is referred by a school attendance review board (SARB) or other district-level referral process.
   (cf. 5113.1 - Chronic Absence and Truancy)

4. Temporary administrative placement pending the next available SARB hearing.

The Superintendent or designee shall give first priority for assignment to a community day school to students expelled for mandatory expulsion offenses pursuant to Education Code 48915(d). Second priority shall be given to students expelled for other reasons, and third priority shall be given to students referred pursuant to item #2, #3, or #4 above. These priorities are applicable unless there is an agreement that the County Superintendent of Schools will serve any of these students. (EC 48662)

When the student to be involuntarily transferred to a community day school or alternate comprehensive or continuation school is a student with disabilities, as defined under the federal Individuals with Disabilities Education Act or Section 504 of the federal Rehabilitation Act of 1973, assignment to a community day school or alternate comprehensive or continuation school shall be determined by the student's individualized education program (IEP) or 504 team, as applicable. (20 USC 1415; 34 CFR 104.35)
(cf. 5144.2 - Suspension and Expulsion (Students with Disabilities))
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

Students who have been involuntarily transferred to a community day school or alternate comprehensive or continuation school based on an expulsion order, probation referral, SARB referral, or other district-level referral process shall be notified in accordance with the applicable laws and/or district policy. Such process shall include timely written notification of the transfer to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

**INSTRUCTION** **AR 6185**

**ALTERNATIVE EDUCATIONAL OPTIONS (continued)**

Instruction

Academic programs offered in an alternative comprehensive placement shall be comparable to those available to students of a similar age in the district. (EC 48663)

The minimum school day for a district community day school shall be 360 minutes of classroom instruction provided by a certificated employee. Independent study shall not be used as a means of providing any part of this minimum day. (EC 48663)
(cf. 6112 - School Day)
(cf. 6158 - Independent Study)

(2/99 3/00) 10/16

Board Adopted: January 8, 2020

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6190**

## DISTRICTWIDE ACTIVITIES

The Enterprise Board of Education recognizes that many valuable learning experiences can occur in school-related activities that are not a direct part of the regular, ongoing instructional program. Activities which can appropriately be District-sponsored must meet the criteria of providing a wholesome environment, helping students in their learning process, and must be limited to Enterprise students either residing in the District or attending an Enterprise School under an inter-district agreement. Major activities include, but are not limited to, athletics, student government and activities, choral music, yearbook, and newspaper activities. Others may also be considered in this category from time to time, and it is not the intent of this policy to necessarily limit the activities to those areas listed.

The Enterprise School District sponsors such activities and will attempt to provide for such activities for all students within the limits of the District's financial resources. All activities conducted under this policy are authorized by the District and are under the direct supervision and control of school district authorities. All districtwide activities must be recognized by the Board.

The District Superintendent is charged with the responsibility for providing guidelines through the development of administrative regulations. These administrative regulations are to be coordinated and approved with the exclusive representative in those areas where negotiations are required under the Rodda Act.

Date Adopted: May 4, 1989

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATION REGULATION**

**INSTRUCTION** **AR 6190**

## DISTRICTWIDE ACTIVITIES

Districtwide activities shall be defined as any activity sponsored by the District which includes students from different schools K-8. Any middle school activity is, de facto, a districtwide activity 6-8.

District facilities shall be defined as all cafeterias/multipurpose rooms in the District, all gymnasiums, and all outdoor playing fields.

Criteria for scheduling use of facilities:

1. The activity must first be recognized by the Board (Board Policy 6190).
2. The home school should have first priority for use of its own facilities with reasonable consideration for District activities.
3. The activity must be on a districtwide basis and include District students only.
4. The group must demonstrate a need for the particular facility requested.
5. Individual school programs can "bump" on a one-time basis to provide flexibility within the system; i.e., special music program, play, etc.
6. The athletic directors will plan scheduling within the parameters of available facilities. It is recognized that precise scheduling cannot be accomplished before league schedules are known.
7. Games and performances will have priority over practices.
8. During a season, a rotation system will be implemented to provide reasonable practice time for many groups and teams before and after school.

Process and timelines for application and scheduling of facilities:

1. The athletic directors shall schedule District facilities based on the criteria listed above.
2. Activity sponsors must complete a use form and submit the form to the athletic director by July 1.
3. The schedule will be completed and published as accurately as possible by five days prior to the opening of school in Fall.
4. In case of disagreement between sponsors and the athletic director, the following appeal process will be used:

**INSTRUCTION** **AR 6190**

**DISTRICTWIDE ACTIVITIES (continued)**

The Superintendent will appoint a committee consisting of one Board member, two teachers (one middle school and one elementary), one principal, and one parent. This committee shall hear the complaint and make a final decision. The schedule will be published if changed.

Date Adopted: April 6, 1989

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**INSTRUCTION** **BP 6221**

## HOME STUDY PROGRAM

The Enterprise School District Governing Board recognizes that some parents wish to teach their child(ren) at home. It is the Board's desire to add flexibility to the instructional programs of the district to meet special needs of all students and to ensure that all students be provided an opportunity to obtain an education. It is further desired that the Home Study Program shall become an integral part of the overall educational program of the district.

The policies and procedures described below are for the purpose of establishing a Home Study Program for the Enterprise School District. This program is an alternative to classroom instruction and is consistent with the district's course of study. It is not an alternative curriculum. Enrollment in Home Study must be voluntary; a choice made by the student, parent or guardian, and the teachers—not an administrative decision of last resort (see Appendix A, Education Code Section 51747(c)(7).

Purpose and Scope

The primary goal of Home Study is to offer a means of individualizing the educational program for students whose needs may best be met through study outside of the regular classroom instructional setting. Through Home Study, the district wishes to provide for optional individualized ways in which students may acquire values, skills, and knowledge.

Home Study requires a commitment by both the parent/guardian and the student and may be offered only to students who can achieve in this program as well as or better than they would in the regular classroom. Students enrolled in Home Study shall have access to the same services and resources of the school district as classroom students.

Criteria for Participation

1. Interest in Home Study shall be initiated through contact with the Home Study Resource Teacher and the school administrator. The following information will be shared during this contact:

    a. The parent will be given information on the Home Study Program such as requirements of the program, advantages and disadvantages of home study and the need for parental dedication and organization.

    b. The parents will be asked to share their reason(s) for wanting to teach their child(ren) at home. The site administrator shall make a determination based on the following:

        - A sincere desire to teach their child(ren) at home
        - A positive attitude between parent and student, and a positive attitude by both parent and student about the program
        - The parent's ability to supervise and instruct in the home
        - Agreement by parent and student to follow all program requirements

**INSTRUCTION** **BP 6221**

**HOME STUDY PROGRAM (continued)**

2. Individualized evaluations shall be made by school site administrator and Home Study teacher to determine if full-time home study is the most appropriate method available for the student and if the student will work independently to complete the program.

3. The site administrator, and/or designee, and home study teacher will work with the parent to design an educational program which will provide school-based activities such as attendance at assemblies, music instruction, sports activities, field trips, media productions, literary festival, etc.

4. A written statement of educational objectives, how the objectives will be accomplished, and how progress will be measured shall be signed by student, parent, school administrator and home study teacher. This educational plan shall be on file at the school office with a copy forwarded to the Assistant Superintendent. The parent shall also receive a signed copy of the educational plan.

    - Student must be taught the same subjects that would be taught at his/her grade level in school and complete all required assignments.

    - Assistant Superintendent of Instructional Services shall act as supervisor of the Home Study Program.

5. If the Home Study Teacher and site administrator determine that the student may qualify to enter the Home Study Program, the parent completes a REQUEST FOR PARTICIPATION and a HOME STUDY ENTRY FORM. This form is sent to the Assistant Superintendent of Instructional Services for approval. Upon completion of the Home Study Entry Form, another appointment is scheduled with the home study teacher. At this second meeting, the student is given a reading/math placement test while the curriculum is explained to the parent, textbooks are checked out, a contract signed and evaluation visits are scheduled.

6. Each Home Study Program contract must be signed by all concerned parties and shall include the following:

    a. Name of student and supervising employee
    b. Statement of student's educational needs
    c. Goals and objectives for the year/course
    d. An Educational Plan
    e. Materials to be used to achieve course objectives
    f. Methods of monitoring (procedures, time and place of reporting, etc.)
    g. Process by which objectives and competencies are to be evaluated.

**HOME STUDY PROGRAM (continued)**

7. The maximum length of time which may elapse before a Home Study assignment is due shall be four (4) weeks. This requires meeting with the home study teacher for evaluation and assignment of work for the next four week period

8. Failure to comply with the requirements of the Home Study contract through non-performance of assigned tasks shall be cause for re-evaluation of student's placement in the Home Study Program and he/she could potentially be returned to a regular classroom. Before a student may be terminated from the program, a concerted effort to foster improvement shall be made and documented.

9. No individual with exceptional needs may participate in Home Study unless his/her IEP specifically provides for that participation.

Promotion/Retention Policy

1. The supervising teacher, parent, and student (when appropriate), shall review completed curriculum materials and/or skill levels of the student. The age of the student shall be considered but should not be the determining factor. Test results shall be reviewed when available. Successful completion of competency standards shall be required per California Education Code. Every effort shall be made to reach mutual agreement regarding promotion/retention.

2. If mutual agreement cannot be reached, a conference shall be scheduled with the parent, supervising teacher, school site administrator, and student (if appropriate) to review the student's placement. Appropriate grade level competency test(s) shall be given, and the results reviewed at the conference. The best interest of the student shall be the major concern. Every effort shall be made to reach mutual agreement.

3. If mutual agreement cannot be reached, the school site administrator and Assistant Superintendent of Instructional Services shall determine promotion/retention. If parents disagree with the final decision, they have right of appeal to the District Superintendent.

4. If a student is terminating enrollment in the Home Study Program and returning to a regular classroom, the grade level placement shall be determined in consideration of regular classroom annual grade level modification and future student success. EXAMPLE: Student's ability/skill level determined to be 4.5. The student will be nine years, three months old at the start of school. Placement would be fourth grade, thereby facilitating above level achievement, positive self-concept, and appropriate age/maturity placement. This is only a guideline and each student placement shall be independently based on the special circumstances of each.

**INSTRUCTION** **BP 6221**

**HOME STUDY PROGRAM (continued)**

5. Students in eighth grade participating in the Home Study Program must follow the graduation policy established by the District in order to participate in a graduation ceremony or receive a certificate of graduation.

Program Records
An individual cumulative file shall be kept on each Home Study student. The file shall include:

1. The signed Request for Participation
2. The District Referral Form
3. The Contract signed by student, parent and site administrator.
4. Normal district assessment results
5. Samples of student work and tests taken
6. Contact records filled out during the scheduled meetings

Student Accountability
Accountability of Home Study students shall be determined by six factors.

1. Contact Records - records kept by supervising teacher relative to learning environment, concerns, materials and instructional needs, and evidence of progress.
2. Completion of assigned work
3. Progress Record - subject areas
4. Written work
5. Supervising teacher observation
6. Test results

Attendance Accounting
Attendance accounting shall be determined by the amount of contract completion by the student. The professional judgment of the supervising teacher, based on information from home visits, contact records, student work samples, student tests, etc., shall determine the amount of ADA the student earns. There are no excused absences; completion of the contracted educational assignments is required for attendance credit.

The following regulations shall apply to the attendance of students enrolled in this program:

1. Attendance accounting will be based on completed assignments
2. Assignments given during a school register month are due at the end of that month.
3. Attendance credit will be based on the completed assignments submitted to the Home Study teacher.

**INSTRUCTION** **BP 6221**

**HOME STUDY PROGRAM (continued)**

4. Students may submit "late" assignments for academic credit,* but may not receive attendance credit for them.

5. Students who do not maintain 80% attendance or miss four assignments in any given month will be evaluated to determine if continued enrollment in the Home Study Program is in the student's best interest. Failure to attend two meetings with the supervising teacher without just cause may also be reason for the student's removal from the Home Study Program. A written record of this evaluation will be placed in the student's permanent record.

* Grades 6, 7, and 8 operate on a credit system towards graduation. Students accumulate credits at the rate of the five (5) credits per semester, per class, successfully passed. These credits represent 75 hours of completed work per semester.

*Legal Reference:*
*Education Code § 46300, 51745-51749, 56026*
*Title 5, California Administrative Code § 11700 - 11703*

Date Adopted: June 23, 1993
Date Revised: June 23, 1994, June 28, 1995, April 3, 1996

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6221**

## HOME STUDY PROGRAM

The student's principal and the Home Study teacher may determine if it is in the best interest of the student to participate in a Home Study Program. A Home Study Program may include classes in the regular school program. A Home Study Program must adhere to the following guidelines:

No student shall be required to participate in Home Study (Ed. Code 51747)

No individual with exceptional needs, as defined in Ed. Code 56026, may participate in Home Study unless his/her individualized education program specifically provides for such participation. (Ed. Code 51745)

The ratio of ADA by Home Study pupils to full-time equivalent certificated employees shall not exceed the equivalent ratio for all other education programs operated by the district.

There must be a written agreement between the instructor, the parent, and the student.

Records must be maintained and include copies of the adopted board policy, the signed agreement, as well as copies of student work.

A separate attendance register must be maintained for Home Study students.

No temporarily disabled student may receive individual instruction pursuant to Ed. Code 48206.3 by means of Home Study (Ed. Code 51745). However, if the temporarily disabled pupil's parents and the district agree, the pupil may receive instruction through Home Study instead of the "home and hospital" instruction provided pursuant to Education Code Section 48206.3.

1. Home Study for each student shall be coordinated, evaluated and under the general supervision of an appropriately certified district employee.

2. An educational plan is required for each student and must be agreed upon and signed by the student, parent/guardian, and the certificated teacher working with the student. Parent and student shall receive a signed copy of the educational plan.

3. Educational plans for students must represent the equivalent of a minimum school day for the student's grade level and shall include:

    a. a statement of student's educational needs
    b. learner objectives and how the objectives will be evaluated
    c. the exact time the plan shall be in effect ( maximum of one semester)
    d. the method, time and place of reporting and evaluating progress
    e. a listing of specific resources, including materials and staff, which will be made available to the student.
    f. a schedule of conferences between the student and supervising teacher.
    g. the signatures of student, parent/guardian, and home study teacher

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**INSTRUCTION** **AR 6221**

## HOME STUDY PROGRAM (continued)

Record Keeping Requirements
Records shall be maintained by the home study teacher and shall include the educational plans for each student. These records shall include:

1. A copy of the district policy, administrative regulation, and procedures related to Home Study.
2. A file of all agreements, with representative samples of each student's completed and evaluated assignments.
3. An attendance register separate from other attendance records.
4. Records identifying all students participating in Home Study specifying the grade level, program placement and school of attendance.

Program Resources
The following resources shall be provided to students enrolled in this program:

1. Equipment shall be made available by each school site to the students to enable them to perform the activities in the curriculum. Need for the equipment will be established by the program personnel.
2. Parents shall have access to the school library and school media center.
3. School site administrator shall encourage students to enroll/attend school site music classes, science labs, sports activities, media production classes, field trips, N.E.E.D. Camp, etc.
4. Psychological and nursing services shall be available to students on a basis comparable to students who attend school at the public school site.
5. School supplies, workbooks and textbooks shall be provided students to the same degree that these items are provided to classroom students.
6. School administrator or designee shall notify parents of all parent inservice training programs at the local school site.
7. The educational plan will determine the textbooks to be used. These shall be supplied by the school site.
8. School site administrator or designee shall send each enrolled family the monthly school newsletter and any other pertinent information in order to increase knowledge and interaction between home and school.
9. The supervising teacher shall encourage such activities as school visitations and other information contacts between the public school and parent who have students enrolled in the program.

*Legal Reference:*
*Education Code §46300, 51745 - 51749, 56026*
*Title 5, California Administrative Code § 11700 - 11703*

Date Adopted: June 23, 1993
Date Revised: June 23, 1994, June 28, 1995

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7000**

## CONCEPTS AND ROLES

The Governing Board recognizes that one of its major responsibilities is to provide healthful, safe and adequate facilities that enhance the instructional program and align with the needs of the district. The Board shall endeavor to provide and maintain high-quality school facilities that support the district's educational program. Because the schools serve as a focal point for the community, the Board shall strive to provide district facilities that are compatible with surrounding neighborhoods and have the flexibility of design to meet future educational and community needs. As part of its intent to make use of each facility, the Board recognizes that, in some instances, the best use may be reuse by a third party, and in other instances, may be lease or sale.

In order to plan for long-range facilities needs, the Superintendent or designee may develop, for Board approval, a school facilities master plan in accordance with Board Policy 7110 - Facilities Master Plan, and regularly review such plan in light of the district's educational goals. In accordance with this plan, the Board shall:

1. Approve additions or major alterations to existing buildings

2. Determine what new buildings shall be built, when and where, and what equipment shall be purchased for them

3. Determine the method of financing that will be used

4. Select and purchase school sites for future expansion, as needed, and facilities for new school sites or other district use

5. Sell or lease facilities, including via joint occupancy or joint use, when no other better use is identified

6. Approve the selection of architects and structural engineers

7. Award contracts for design and construction

8. Authorize the use of school facilities by district residents and community groups in accordance with Board Policy/Administrative Regulation 1330 - Use of School Facilities

9. Consider the use of district property for workforce housing

10. Advocate school facility needs to the community

**FACILITIES** **BP 7000**

**CONCEPTS AND ROLES (continued)**

The Superintendent or designee shall:

1. Assess the district's short- and long-term facilities needs

2. Direct the preparation and updating of the facilities master plan

3. Oversee the preparation of bids and awarding of contracts

4. Supervise the implementation of the district's building program in accordance with the master plan, Board policy, and state and local requirements, including collaboration with the architect and contractor on the construction of new facilities and modernization of existing facilities

5. Represent the district in official governmental interactions related to the building program

Date Adopted: December 6, 2000
Date Revised: June 26, 2002 , December 17, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7100**

## FACILITIES MASTER PLAN

The Enterprise School District facilities master plan shall be maintained and kept up to date. The plan shall reflect the long term educational program needs of the students based on the District educational vision and goals. To assist in the accurate assessment of these needs, the plan shall include an identification of community, social, economic and political factors and District housing and funding issues which ultimately affect the success and effectiveness of the District building and renovation program.

The plan shall incorporate population and enrollment projections.

Concurrent with efforts to identify those demographic factors affecting school enrollment, the plan shall include an analysis of present and future design needs of the District together with an assessment of those qualitative factors which reflect the characteristics and capacity of each school facility.

Qualitative factors may include, but are not limited to:

1. State allocation building area standards

2. Maximum student capacity according to designated student-teacher ratios

3. Current student capacity based on current District program requirements

The Board recognizes the importance of having current, complete and accurate information as the basis for developing and maintaining the facilities master plan. The Superintendent or designee shall maintain procedures to encourage the cooperation of the District staff, parents/guardians, students, state and local governmental and planning agencies, and other business and community representatives in this effort.

*Legal Reference:*
*Education Code*
*17017 Application for Project; Costs*
*35275 New School Planning and Design*
*17251 Powers (California Department of Education) Concerning Buildings and Building Sites*
*Code of Regulations, Title 5*
*14001 Minimum Standards*

Date Adopted: December 6, 2000

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7110**

## DETERMINING NEEDS OF SCHOOL FACILITIES

The Superintendent or designee shall maintain planning procedures for school facilities. These procedures shall serve as the basis for determining facility needs that enhance the District educational program. Accordingly, criteria for determining these needs shall reflect the goals and objectives of the District facilities master plan.

The Superintendent or designee shall draw upon all necessary resources to assure that proposed District facilities meet the educational needs of the students and conform to all planning requirements imposed by state and local governmental agencies. These resources shall include District staff, educational consultants, architectural and engineering firms, utility companies, local governmental and planning agencies, the Shasta County Office of Education, the State Department of Education, and the Office of the State Architect.

To assure a comprehensive approach to projecting and planning needs, the following elements shall be considered in planning school facilities:

1. Expanding and changing educational program of the District including the number of students to be served and their specific educational needs
2. Impact of proposed facilities on the community and considerations regarding community use of the facilities
3. Safety and welfare of students
4. Relationship between existing and new facilities
5. Community planning and zoning requirements
6. Other site specific information which provide guidance in the planning of facilities

*Legal Reference:*
*Education Code*
*35275 New School Planning and Design (Re Cooperative Relations with Recreation and Park Authorities)*

*17260-17267 Plans of School Buildings*
*17302 Preparers of Plans, Specifications and Estimates; Qualification; Observation of Construction*
*17307 Compliance with the Provisions of this Article and Approval of the Department of General Services*
*17316 Contract Provision Required Making Plans etc. Property of District*
*17365-17374 Fitness for Occupancy*
*Code of Regulations, Title 5*
*14030(a) Educational Specifications*
*14031 Plan Approval Procedures for Non-Self Certified Districts*
*14032 Plan Approval*
*14035 Planning Guides "The Guide for Planning Educational Facilities"*

Date Adopted: December 6, 2000

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7111**

## EVALUATING EXISTING BUILDINGS

The adequacy and design of all existing Enterprise School District school facilities shall be evaluated periodically in terms of meeting the needs of the instructional program and fulfilling the requirements of law regarding safety and structural soundness, accessibility to the handicapped and energy conservation.

A primary consideration in evaluating existing facilities shall be the preservation of a healthful environment for students and staff as well as providing an aesthetically pleasing learning and working atmosphere.

In the evaluation of existing buildings, the installation of energy conserving devices, including insulation or the implementation of other design modifications, shall be considered as permitted by law for purposes of reducing energy costs.

*Legal Reference:*
*Education Code*
*17650-17653 Retrofitting Existing School Facilities for Energy Conservation*
*17342-17373 Fitness for Occupancy (Repair, Renovation or Replacement of Existing Buildings)*
*17367 Building Examinations; Required Actions of Governing Board Up Report of Unsafe Conditions*

Date Adopted: December 6, 2000

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7120**

## PARTICIPATION IN PLANNING

Procedures shall be maintained that ensure members of the school community including staff, parents, students, business and community representatives are given the opportunity to provide input into the planning process.

Consultants and other appropriate resource personnel from state and local agencies shall be initiated into the planning process in accordance with state law and in those instances, where such consultation will benefit an effective planning process.

Assistance from colleges and universities, planning laboratories and private consulting firms shall be authorized when necessary to augment District staff resources.

*Legal Reference:*
*Education Code*
*35275 New School Planning and Design (Consulting With Local Government, Recreation and Park Authorities)*

*17251 Powers Concerning Building and Building Sites (State Department of Education)*
*17263 Required Approval of Plans by Department of General Services*
*17268 Construction of New School Building; Requirements for Approval*
*17280-17289 Approval of Plans and Supervision of Construction*

Date Adopted: December 6, 2000

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7150**

## RELATIONS WITH OTHER GOVERNMENTAL UNITS

The District will cooperate with city, county, state, and federal agencies to provide the best possible school facilities and obtain the greatest efficiency and economy in the use of funds expended for school construction.

In matters relating to the selection and acquisition of school sites and in the construction of school buildings, structures or additions thereto, the District will work in the planning stages in cooperation with other county and municipal bodies such as planning and zoning commissions, the police, fire, health and welfare departments and other relevant bodies.

Special care shall be taken to work with the planning staffs of each governmental body with responsibility for approving, refusing or otherwise controlling land development. Procedures shall be maintained to ensure the exchange of accurate information between the surrounding Districts and these agencies regarding the impact of development on the District's educational programs and facility needs.

When the District determines that overcrowding will occur as a result of new land development, the Superintendent or designee will prepare an official declaration of impaction for Board approval and subsequent delivery to the appropriate local agency. If the agency has adopted an impaction ordinance requiring developers to cooperate in the development of plans to mitigate the consequences of development on the District, the declaration of impact would "trigger" the imposition of the ordinance.

*Legal Reference:*
*Education Code*
*35275 New School Planning and Design (Re Cooperative Relations With Government Recreation and Park Authorities)*
*17280-17289 Approval of Plans and Supervision of Construction (Relations with Department of General Services)*
*81520-81532 Lease and Lease-Purchase of Sites, Buildings and Facilities*
*California Code of Regulations, Title 5*
*14011 Procedure for Site Acquisition*
*California Code of Regulations, Title 14*
*12100 et seq., Implementation of California Environmental Quality Act of 1970*

*Public Resources Code*
*21000 et seq., California Environmental Quality Act of 1970*

Date Adopted: December 6, 2000

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7210**

## METHODS OF FINANCING

As economic development continues in Shasta County and homes and apartments multiply, school facilities must be built or expanded to accommodate a growing number of students. With time, safety considerations and educational program changes may require the reconstruction of existing facilities. The purchase of school sites and the construction of buildings may be financed by any legally provided means which the District is qualified to employ.

Developer Fees
In order to finance the construction or reconstruction of school facilities needed to accommodate students coming from new development, the Governing Board may levy developer fees on residential, commercial and industrial construction within the District, subject to restrictions specified by law. (Education Code section 17620 and Government Code section 65995)

Findings/Fee Levying/Exemptions
Before levying developer fees, the Board shall make all findings required by law. Findings shall show a reasonable relationship between the construction or reconstruction on which the fee is imposed and the need for school facilities. A reasonable relationship also shall be found between the amount of the fee and the cost of the needed school construction. All decisions to levy fees shall be based upon such reasonable relationships. Exemptions from fees shall be granted when reasonable relationships cannot be shown.

Before levying developer fees, the Board shall schedule a public hearing at which it may adopt the resolutions required by law. Information on the anticipated amount of fees, other available funds and funding sources, and the estimated cost of planning, land acquisition and school construction shall be available to the public at least 10 days before the hearing. Notice of the hearing shall be given as required by law. (GC section 54954.1)

The resolution adopted by the Board shall state the Board's findings which justify the fees and the conditions which have been met to allow collection of the fees at the time when building permits are issued.

The Superintendent or designee shall establish procedures for the timely and consistent levying of developer fees in accordance with the requirements of law. He/she shall cooperate with local governmental agencies in issuing building permits. (Education Code section 17620)

The Board shall regularly review its school construction plans to evaluate its capital needs and its need for developer fees.

## METHODS OF FINANCING (continued)

Fees may be revised in accordance with the increase legally allowed for inflation as determined every two years by the State Allocation Board. (GC section 65995)

Developer fees shall be deposited, invested, accounted for and expended pursuant to Government Code section 66006.

The District shall annually make findings regarding any portion of the fee remaining unexpended or uncommitted in its account five or more years after deposit. The board will take action based on its findings in accordance with law. (GC section 66001)

Developer fees shall be deposited in a separate capital facilities account, except for temporary investments allowed by law, and shall be used only for the purpose for which they were collected. Interest income earned by the capital facilities account shall also be deposited in that account and used only for the purpose for which the fee was originally collected. (GC section 66006)

For each separate account so established, the District shall, within 90 days of the close of each fiscal year, make available to the public the beginning and ending balance for the fiscal year; the fee, interest and other income received; the amount of expenditure; and the amount of refunds made pursuant to Government Code section 66001. The Board shall review this information at the first regularly scheduled public Board meeting which occurs 15 days after the information is made available to the public. (GC section 66006)

Appeals Process

The Superintendent or designee shall establish an appeals process for the handling of protests, including protests made pursuant to Government Code section 66008.

**FACILITIES** **BP 7210**

## METHODS OF FINANCING (continued)

*Legal Reference:*

*Education Code:*
*15100-15111 Bonds of School District*
*15700-15754 General Provisions (State School Building Aid Law of 1949)*
*15700-15795 State School Building Aid Bond Law of 1949*
*16000-16106 State School Building Aid Law of 1952*
*16700-16734 Urban School Construction Aid Law of 1968*
*17680-17693 State School Building Lease-Purchase Bond Law of 1982*
*17695-17695.95 State School Building Lease-Purchase Bond Law of 1984*
*17696-17696.98 Greene-Hughes School Building Lease-Purchase Bond Law of 1986*
*17000-17066 State School Building Lease-Purchase Law of 1976*
*17620 Levies Against Development Projects by School District*
*17621 Procedures for Adoption or Increase of Levy; Protest*
*17623 Distribution of Fee Levied by Two Non-Unified School Districts with Common Territorial Jurisdiction*
*17624 Repayment of Levy on Development Project without Commencement of Construction*
*17625 Levies Against Manufactured Home or Mobile Home*
*17626 Application of Levy to Reconstruction After Damage or Destruction by Disaster*
*17622 School Districts; Levies on Enclosed Agricultural Space*
*Government Code:*
*53175-53179.5 Integrated Financing District Act*
*53311-53317.5 Mello-Roos Community Facilities Act of 1982*
*54954.1 Mailed Notice to Property Owners*
*65864-65869.5 Development Agreements*
*65970-65981 Interim School Facilities*
*65995-65998 Payment of Fees, Charges, Dedications or Other Requirements Against a Development Project*
*66000-66009 Fees for Development Projects*

Date Adopted: December 6, 2000

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7214**

## GENERAL OBLIGATION BONDS

The Governing Board recognizes that school facilities are an essential component of the educational program and that the Board has a responsibility to ensure that the district's facilities needs are met in the most cost-effective manner possible. The Board may direct the Superintendent to explore the possibility of a bond measure, which may include, but is not limited to, conducting community focus groups, surveys, and Board presentations. When the Board determines that it is in the best interest of district students, it may order an election on the question of whether bonds shall be issued to pay for school facilities.

The Board's decision to order a bond election, as well as its determination regarding the appropriate amount, timing, and structure of the bond issuance, shall be consistent with law and the district's debt management policy.

Before ordering a bond election, the Board shall obtain reasonable and informed projections of assessed valuations that take into consideration projections of assessed property valuations made by the county assessor. (EC 15100)

When any project to be funded by bonds will require state matching funds for any phase of the project, the ballot materials for the bond measure shall include a statement as specified in Education Code 15122.5, advising voters that, because the project is subject to approval of state matching funds, passage of the bond measure is not a guarantee that the project will be completed. (EC 15122.5)

### Bonds Requiring 55 Percent Approval by Local Voters

The Board, by a two-thirds vote and subject to Education Code 15100, may adopt a resolution to incur bonded indebtedness and order an election. Pursuant to the California Constitution, Article 13A, Section 1(b)(3) and Article 16, Section 18(b), a bond election authorized pursuant to Education Code 15266 requires the approval of at least a 55 percent majority of the voters voting in the election. (EC 15266)

The bond election may only be ordered at a primary or general election, a statewide special election, or a regularly scheduled local election at which all of the electors of the district are entitled to vote. (EC 15266)

Bonded indebtedness incurred by the district pursuant to Education Code 15266 shall be used only for the following purposes: (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

**FACILITIES** **BP 7214**

**GENERAL OBLIGATION BONDS (continued)**

1. The construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities

2. The acquisition or lease of real property for school facilities

3. The refunding of any outstanding debt issuance used for the purposes specified in Items #1-2 above

The proposition approved by the voters shall include the following accountability requirements:

1. Certification that proceeds from the sale of the bonds will be used only for the purposes specified in Items #1-2 above, and not for any other purposes including teacher and administrative salaries and other school operating expenses (California Constitution Article 13A, Section 1(b)(3))

2. A list of specific school facilities projects to be funded and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list (California Constitution Article 13A, Section 1(b)(3))

3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed (California Constitution Article 13A, Section 1(b)(3))

4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects (California Constitution Article 13A, Section 1(b)(3))

5. A requirement that the Board shall appoint an independent citizens' oversight committee to inform the public concerning the expenditure of bond revenues as specified in Education Code 15278 and the accompanying administrative regulation (EC 15278)

This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (EC 15278)

The Superintendent or designee shall ensure that the annual, independent performance and financial audits required pursuant to Items #3-4 above are issued in accordance with the U.S. Comptroller General's Government Auditing Standards and submitted to the citizens' oversight committee at the same time they are submitted to the Superintendent or designee and no later than March 31 of each year. (EC 15286)

**FACILITIES** **BP 7214**

## GENERAL OBLIGATION BONDS (continued)

The Board shall provide the citizens' oversight committee with responses to all findings, recommendations, and concerns addressed in the performance and financial audits within three months of receiving the audits. (EC 15280)

The Board may disband the citizens' oversight committee when the committee has completed its review of the final performance and financial audits.

### Bonds Requiring Two-thirds Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of a two-thirds majority of the voters pursuant to Education Code 15100 and California Constitution, Article 13A, Section 1(b)(2). If a majority of the Board agrees to such an election, or upon a petition of the majority of the qualified electors residing in the district, the Board shall adopt a resolution ordering an election on the question of whether to incur bonded indebtedness if approved by two-thirds majority of voters. (EC 15100)

The bond election may be ordered to occur on any Tuesday, except a Tuesday that is a state holiday or the day before or after a state holiday, is within 45 days before or after a statewide election unless conducted at the same time as the statewide election, or is an established election date pursuant to Elections Code 1000 or 1500. (EC 15101)

Subject to limits specified in Article 13A, Section 1 of the California Constitution, bonds shall be sold to raise money for any of the following purposes: (EC 15100)

1. Purchasing school lots

2. Building or purchasing school buildings

3. Making alterations or additions to school building(s) other than as may be necessary for current maintenance, operation, or repairs

4. Repairing, restoring, or rebuilding any school building damaged, injured, or destroyed by fire or other public calamity

5. Supplying school buildings and grounds with furniture, equipment, or necessary apparatus of a permanent nature

6. Permanently improving school grounds

**GENERAL OBLIGATION BONDS (continued)**

7. Refunding any outstanding valid indebtedness of the district, evidenced by bonds or state school building aid loans

8. Carrying out sewer or drain projects or purposes authorized in Education Code 17577

9. Purchasing school buses with a useful life of at least 20 years

10. Demolishing or razing any school building with the intent to replace it with another school building, whether in the same location or in any other location

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by an order of the Board entered into the minutes. (EC 15100)

The Board may appoint a citizens' oversight committee to review and report to the Board and the public as to whether the expenditure of bond revenues complies with the intended purposes of the bond.

**Certificate of Results**

If the certificate of election results received by the Board from the applicable county elections officials shows that the appropriate majority of the voters is in favor of issuing the bonds, the Board shall declare that the bond measure has passed and record that fact in its minutes. The Board shall then certify to the County Board of Supervisors all proceedings it had in connection with the election results. (EC 15124, 15274; Elections Code 15372, 15400)

**Resolutions Regarding Sale of Bonds**

Following passage of the bond measure by the appropriate majority of voters, the Board shall pass one or more resolutions directing the issuance and sale of bonds as necessary. In accordance with law, each resolution shall prescribe the total amount of bonds to be sold and may also prescribe the maximum acceptable interest rate, not to exceed eight percent, and the time(s) when the whole or any part of the principal of the bonds shall be payable. (EC 15140; Government Code 53508.6)

In passing each resolution, the Board shall consider each available funding instrument, including, but not limited to, the costs associated with each and their relative suitability for the project to be financed.

Prior to the sale of bonds, the Board shall place an agenda item at a public meeting and adopt as part

**GENERAL OBLIGATION BONDS (continued)**

of the bond issuance resolution, or in a separate resolution, disclosures of the available funding instruments, the costs and sustainability of each, and all of the following information: (EC 15146)

1. Express approval of the method of sale, such as competitive or negotiated sales

2. Statement of the reasons for the method of sale selected

3. Disclosure of the identity of the bond counsel, and the identities of the bond underwriter and the financial adviser if either or both are utilized for the sale, unless these individuals have not been selected at the time the resolution is adopted, in which case the Board shall disclose their identities at the public meeting occurring after they have been selected

4. Estimates of the costs associated with the bond issuance, including, but not limited to, bond counsel and financial advisor fees, printing costs, rating agency fees, underwriting fees, and other miscellaneous costs and expenses of issuing the bonds

When the sale involves bonds that allow for the compounding of interest, such as a capital appreciation bond (CAB), the resolution to be adopted by the Board shall include Items #1-4 above as well as the financing term and time of maturity, repayment ratio, and the estimated change in the assessed value of taxable property within the district over the term of the bonds. The resolution shall be publicly noticed on at least two consecutive meeting agendas, first as an information item and second as an action item. The agendas shall identify that bonds that allow for the compounding of interest are proposed. (EC 15146)

Prior to adopting a resolution for the sale of bonds that allow for the compounding of interest, the Board shall be presented with the following: (EC 15146)

1. An analysis containing the total overall cost of the bonds that allow for the compounding of interest

2. A comparison to the overall cost of current interest bonds

3. The reason bonds that allow for the compounding of interest are being recommended

4. A copy of the disclosure made by the underwriter in compliance with Rule G-17 adopted by the federal

**FACILITIES** **BP 7214**

**GENERAL OBLIGATION BONDS (continued)**

**Municipal Securities Rulemaking Board**
At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). (GC 8855)

After the sale, the Board shall be presented with the actual issuance cost information and shall disclose that information at the Board's next scheduled meeting. The Board shall ensure that an itemized summary of the costs of the bond sale and all necessary information and reports regarding the sale are submitted to the CDAIC. (EC 15146; GC 53509.5)

**Bond Anticipation Notes**

Whenever the Board determines that it is in the best interest of the district, it may, by resolution, issue a bond anticipation note, on a negotiated or competitive-bid basis, to raise funds that shall be used only for a purpose authorized by a bond that has been approved by the voters of the district in accordance with law. (EC 15150)

Payment of principal and interest on any bond anticipation note shall be made at note maturity, not to exceed five years, from the proceeds derived from the sale of the bond in anticipation of which that note was originally issued or from any other source lawfully available for that purpose, including state grants. Interest payments may also be made from such sources. However, interest payments may be made periodically and prior to note maturity from an increased property tax if the following conditions are met: (EC 15150)

1. A resolution of the Board authorizes the property tax for that purpose
2. The principal amount of the bond anticipation note does not exceed the remaining principal amount of the authorized but unissued bonds

A bond anticipation note may be issued only if the tax rate levied to pay interest on the note would not cause the district to exceed the tax rate limitation set forth in Education Code 15268 or 15270, as applicable.

**Deposit of Bond Proceeds**
With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (EC 15146)

Date Adopted: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**ADMINISTRATIVE REGULATION**

**FACILITIES** **AR 7214**

## GENERAL OBLIGATION BONDS

### Election Notice

Whenever the Governing Board orders an election on the question of whether general obligation bonds shall be issued to pay for school facilities, the Superintendent or designee shall ensure that the election notice and ballot requirements comply with Education Code 15120-15126 and 15272, as applicable, and the section "Ballot Materials" below.

At least 88 days prior to the date of the election, the Superintendent or designee shall deliver to the officer conducting the election the resolution calling the election, including the date and purpose of the election; the authority for ordering the election and the specification of the election order; the signature of the officer or the clerk of the Board authorized to make such designations; and all other applicable ballot materials. (EC 5322)

### Ballot Materials

The ballot question to appear on the ballot shall not exceed 75 words and shall appear in the form specified in Elections Code 13119. (EC 5322)

The Superintendent or designee shall ensure that the ballot materials comply with applicable laws including a brief statement of the measure setting forth the amount of the bonds to be voted upon, the maximum rate of interest, and the purposes for which the proceeds of the sale of the bonds are to be used. (EC 15122)

In addition to the 75 word ballot question, a separate statement shall be included with the sample ballot, which includes the best estimate from official sources of all of the following: (Elections Code 9401)

1. The average annual tax rate that would be required to be levied to fund the bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of the election or a projection based on experience within the same jurisdiction or other demonstrable factors

   Additionally, the estimate shall identify the final fiscal year in which the tax is anticipated to be collected.

2. The highest tax rate that would be required to be levied to fund the bond issue, and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election or a projection based on experience within the same jurisdiction or other demonstrable factors

**GENERAL OBLIGATION BONDS (continued)**

3. The total debt service, including the principal and interest, that would be required to be repaid if all the bonds are issued and sold

   The estimate may include information about the assumptions used to determine the estimate.

For bond measures requiring 55 percent majority of the voters, the Superintendent or designee shall ensure that the text of the ballot measure includes a statement that the Board will appoint a citizens' oversight committee and that annual independent audits will be conducted to assure that funds are spent only on school and classroom improvements and for no other purposes. (EC 15272)

For bond funded projects that require state matching funds, the Superintendent or designee shall ensure the sample ballot contains a statement advising the voters that the project is subject to the approval of state matching funds and, therefore, passage of the bond measure is not a guarantee that the project will be completed. (EC 15122.5)

Arguments in support or in opposition of the bond measure shall be submitted in accordance with Elections Code 9160-9170.

**Citizens' Oversight Committee**

If a bond is approved pursuant to the 55 percent majority threshold in accordance with Proposition 39 to the California Constitution, Article 13A, Section 1(b)(3) and Article 16, Section 18(b), then the district's citizens' oversight committee shall consist of at least seven members, including, but not limited to: (EC 15282)

1. One member active in a business organization representing the business community located within the district

2. One member active in a senior citizens' organization

3. One member active in a bona fide taxpayers' organization

4. One member who is a parent/guardian of a district student

5. One member who is a parent/guardian of a district student and is active in a parent-teacher organization, such as the Parent Teacher Association or school site council

Members of the citizens' oversight committee shall be subject to the conflict of interest prohibitions regarding incompatibility of office pursuant to Government Code 1125-1129 and financial interest

**GENERAL OBLIGATION BONDS (continued)**

in contracts pursuant to Government Code 1090-1099. (EC 15282)

No employee, Board member, vendor, contractor, or consultant of the district shall be appointed to the citizens' oversight committee. (EC 15282)

Members of the citizens' oversight committee may serve for no more than three consecutive terms of two years each. They shall serve without compensation. (EC 15282)

The purpose of the citizens' oversight committee shall be to inform the public concerning the expenditure of bond revenues. The committee shall actively review and report on the proper expenditure of taxpayers' money for school construction and shall convene to provide oversight for, but not limited to, the following: (EC 15278)

1. Ensuring that bond revenues are expended only for the purposes described in California Constitution, Article 13A, Section 1(b)(3), including the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities

2. Ensuring that, as prohibited by California Constitution, Article 13A, Section 1(b)(3)(A), no funds are used for any teacher and administrative salaries or other school operating expenses

In furtherance of its purpose, the committee may engage in any of the following activities: (EC 15278)

1. Receiving and reviewing copies of the annual, independent performance and financial audits required by California Constitution, Article 13A, Section 1(b)(3)(C) and (D)

2. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of California Constitution, Article 13(A), Section 1(b)(3)

3. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the district

4. Reviewing efforts by the district to maximize bond revenues by implementing cost-saving measures, including, but not limited to, the following:

    a. Mechanisms designed to reduce the costs of professional fees

    b. Mechanisms designed to reduce the costs of site preparation

**GENERAL OBLIGATION BONDS (continued)**

c. Recommendations regarding the joint use of core facilities

d. Mechanisms designed to reduce costs by incorporating efficiencies in school site design

e. Recommendations regarding the use of cost-effective and efficient reusable facility plans

The district shall, without expending bond funds, provide the citizens' oversight committee with any necessary technical assistance and shall provide administrative assistance in furtherance of the committee's purpose and sufficient resources to publicize the committee's conclusions. Additionally, the district shall provide the citizens' oversight committee with responses to any and all findings, recommendations, and concerns addressed in the annual independent financial and performance audits within three months of receiving the audits. (EC 15280)

All citizens' oversight committee proceedings shall be open to the public and noticed in the same manner as proceedings of the Board. Committee meetings shall be subject to the provisions of the Ralph M. Brown Act. (EC 15280; Government Code 54952)

The citizens' oversight committee shall issue regular reports, at least once a year, on the results of its activities. Minutes of the proceedings and all documents received and reports issued shall be a matter of public record and shall be made available on the district's website. (EC 15280)

The citizens' oversight committee may create bylaws for its operations consistent with this regulation, subject to the approval of the Board or Superintendent.

**Reports**

Within 30 days after the end of each fiscal year, the district shall submit to the County Superintendent of Schools a report concerning any bond election(s) containing the following information: (EC 15111)

1. The total amount of the bond issue, bonded indebtedness, or other indebtedness involved

2. The percentage of registered electors who voted at the election

3. The results of the election, with the percentage of votes cast for and against the proposition

**FACILITIES** **AR 7214**

**GENERAL OBLIGATION BONDS (continued)**

By each January 31 following a bond issuance, the district shall submit an annual report to the California Debt Investment and Advisory Commission in accordance with Government Code 8855 and as specified in Board Policy 3470 - Debt Issuance and Management.

Date Adopted: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7220**

## ENVIRONMENTAL IMPACT PROCEDURES

Environmental Impact Consideration Procedures

1. All proposed discretionary projects shall be evaluated to determine whether the project:

    a. Is categorically exempt from these procedures.

    b. Is the appropriate subject of a negative declaration.

    c. May have a significant effect on the environment.

2. If the project is categorically exempt from the California Environmental Quality Act, nothing further is required by these procedures.

3. If it is determined that the project does not require the preparation of a draft environmental impact report (EIR), a negative declaration and the initial study shall be filed with the Shasta County Clerk or designated lead environmental agency and the State Office of Planning and Research, and other appropriate state agencies. Copies of the negative declaration and the initial study shall also be made available to local planning agencies, other interested members, and posted for public inspection.

    a. The Governing Board shall not approve any such projects until at least thirty (30) days have passed for review and comment.

    b. Upon the close of the review period, the Board shall make a determination whether the project is the appropriate subject of a negative declaration at a special or regularly scheduled meeting.

        (1) The Board may affirm the decision that the project is the appropriate subject of a negative declaration and, if it does, it will then proceed according to paragraph 4(e).

        (2) If the Board determines that the project is not the appropriate subject of a negative declaration, it will then proceed in accordance with paragraph 4.

4. If the project may have a significant effect on the environment, a draft environmental impact report (EIR) shall be prepared with consultant assistance, if necessary.

    a. Upon completion of the draft EIR, a Notice of Completion shall be filed with the State Office of Planning and Research along with the draft EIR. The Notice and draft EIR shall also be made available to local planning agencies, appropriate state agencies, other interested parties, and to the general public.

**FACILITIES** **BP 7220**

**ENVIRONMENTAL IMPACT PROCEDURES (continued)**

b. After filing the Notice of Completion, the consultation and comments of any public agency which has jurisdiction over the project and the EIR shall be obtained in addition to the comments of any other person who has special expertise with respect to any environmental impact involved.

c. The final EIR shall not be prepared until the community has been given the opportunity to comment on the draft.

d. The final EIR shall be adopted by the Board prior to a decision of the Board to proceed with the project.

e. The Notice of Determination shall be filed with the Shasta County Clerk and State Office of Planning and Research.

*Legal Reference:*
*Government Code*
*66413.7 Written Notices of Proposed Public School Site Within Development; Investigation and Report; Conditions for Acquisition*
*Public Resources Code*
*21000-21178.1 Implementation of Environmental Quality*
*Code of Regulations, Title 14*
*15000-15209 Review and Evaluations of EIRs and Negative Declarations*

Date Adopted: January 10, 2001

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**FACILITIES** **BP 7310**

## NAMING OF FACILITY

The naming of a school facility or any part thereof shall be the prerogative of the Governing Board and shall be named after the geographic area in which the facility is located, for example, a street on which the facility is located (*i.e.,* Mistletoe) or a name signifying the North State (*i.e.,* Lassen View).

Memorials

A Site Administrator shall consider a request to memorialize a student or staff member. Appropriate memorials include those items that enhance the site campus. Suggestions include the donation of a bench upon which a plaque may be placed in tribute; the donation of a plaque to be placed on an interior wall of the site; the donation of a display case placed in an appropriate location in the facility. Requests that fall outside of these suggestions are at the discretion of the Board.

*Legal Reference:*
*Education Code 35160 Authority of Governing Boards*

Date Adopted: March 5, 1987
Date Revised: February 3, 2010, March 3, 2010

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9000**

## ROLE OF THE BOARD

The Governing Board has been elected by the community to provide leadership and citizen oversight of the district. The Board shall ensure that the district is responsive to the values, beliefs, and priorities of the community.

The Board shall work with the Superintendent to fulfill its major responsibilities, which include:

1. Setting the direction for the district through a process that involves the community, parents/guardians, students, and staff and is focused on student learning and achievement

2. Establishing an effective and efficient organizational structure for the district by:

    a. Employing the Superintendent and setting policy for hiring of other personnel

    b. Overseeing the development and adoption of policies

    c. Establishing academic expectations and adopting the curriculum and instructional materials

    d. Establishing budget priorities and adopting the budget

    e. Providing safe, adequate facilities that support the district's instructional program

    f. Setting parameters for negotiations with employee organizations and ratifying collective bargaining agreements

3. Providing support to the Superintendent and staff as they carry out the Board's direction by:

    a. Establishing and adhering to standards of responsible governance

    b. Making decisions and providing resources that support district priorities and goals

    c. Upholding Board policies

    d. Being knowledgeable about district programs and efforts in order to serve as effective spokespersons

4. Ensuring accountability to the public for the performance of the district's schools by:

    a. Evaluating the Superintendent and setting policy for the evaluation of other personnel

    b. Monitoring and evaluating the effectiveness of policies

**BYLAWS OF THE BOARD** **BB 9000**

**ROLE OF THE BOARD (continued)**

c. Serving as a judicial (hearing) and appeals body in accordance with law, Board policies, and negotiated agreements

d. Monitoring student achievement and program effectiveness and requiring program changes as necessary

e. Monitoring and adjusting district finances

f. Monitoring the collective bargaining process

5. Providing community leadership and advocacy on behalf of students, the district's educational program, and public education in order to build support within the local community and at the state and national levels

The Board is authorized to establish and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law. (EC 35160)

Date Adopted: June 28, 2000
Date Revised: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9005**

## GOVERNANCE STANDARDS

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

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

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

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

1. Keep the district focused on learning and achievement for all students
2. Communicate a common vision
3. Operate openly, with trust and integrity
4. Govern in a dignified and professional manner, treating everyone with civility and respect
5. Govern within Board-adopted policies and procedures

**BYLAWS OF THE BOARD** **BB 9005**

**GOVERNANCE STANDARDS (continued)**

6. Take collective responsibility for the Board's performance

7. Periodically evaluate its own effectiveness

8. Ensure opportunities for the diverse range of views in the community to inform Board deliberations

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BYLAWS OF THE BOARD** **BP 9010**

## PUBLIC STATEMENTS

The Governing Board recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the authority of the Board to choose its representatives, to communicate its positions, and to abide by established protocols.

### Board Spokesperson

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or, with respect to a specific issue or topic, other representative as designated by the Board or Board president.

When speaking for the Board, a spokesperson shall exercise restraint and tact and communicate in a manner that promotes public confidence in the Board's leadership.

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

### Statements by Individual Board Members

When speaking to community groups, members of the public, or the media, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify when a viewpoint is held by an individual Board member rather than the Board as a whole. For example, a Board member may include a disclaimer on the Board member's personal social media account that the Board member is expressing personal viewpoints and not those of the Board or the district.

Board members who opt to express their opinions on district matters, whether in-person or online, are expected to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for district students and the community.

Date Adopted: June 28, 2000
Date Revised: October 2, 2024

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9011**

## DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION

The Governing Board recognizes the importance of maintaining the confidentiality of information acquired as part of a Board member's official duties.

A Board member shall not disclose confidential information to any person, except as authorized by law, this Bylaw or other Board bylaws or policies, or the Board.

*Confidential information* means any information that is prohibited from disclosure by law, this Bylaw or other Board bylaws or policies, or by the Board at the time disclosed and is not a public record subject to disclosure under the California Public Records Act (CPRA). Confidential information includes, but is not limited to, any of the following:

1. Information acquired by being present in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session (GC 54963)

2. Information acquired in anticipation of a closed session, or as follow-up to a closed session, that is specifically related to the basis for the Board to meet lawfully in closed session

3. Information contained in communications provided to Board members from the district's attorney

4. Information deemed confidential by the Board

Confidential information does not include information that is already publicly disclosed, provided that the initial disclosure did not violate law, this Bylaw, or other Board bylaws or policies.

It is a misdemeanor for any Board member to willfully and knowingly use or disclose for pecuniary gain any information acquired in the course of the Board member's official duties where all of the following conditions are met: (GC 1098)

1. The information is not a public record subject to disclosure under the CPRA

2. The information is prohibited from disclosure by law, this Bylaw, or other Board bylaws or policies

3. The information will have, or could reasonably be expected to have, a material financial effect on the Board member if used or disclosed

If a Board member threatens to disclose or does disclose confidential information, the Board may pursue or enact one or more of the following actions as it deems appropriate: (GC 54963)

1. Injunctive relief to prevent disclosure

**BYLAWS OF THE BOARD** **BB 9011**

**DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION (continued)**

2. Referral to the grand jury

3. Censure or other disciplinary action, provided the Board member has received training or been informed of the requirements of this Bylaw

However, the Board shall not take any action against a Board member for disclosing confidential information, nor shall the disclosure be considered a violation of this Bylaw, when the Board member does any of the following: (GC 1098, 54963)

1. Makes a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session

2. Expresses an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action

3. Discloses information to law enforcement officials or to the joint legislative audit committee when reporting on improper governmental activities in accordance with law

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9012**

## BOARD MEMBER ELECTRONIC COMMUNICATIONS

The Governing Board recognizes that electronic communication is an efficient and convenient way for Board members to communicate and expedite the exchange of information with each other, district staff, and members of the public. Board members shall exercise caution to ensure compliance with the Brown Act, the Public Records Act, and other applicable laws.

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (GC 54952.2)

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

Board members are prohibited from using digital icons, such as "likes" or "emojis," that express reactions to communications made by other Board members regarding matters within the subject matter jurisdiction of the Board. (GC 54952.2)

Board members shall make every effort to ensure that their electronic communications conform to Board Bylaw 9010 - Public Statements and shall forward any complaints or requests for information to the Superintendent in accordance with applicable Board bylaws.

This Bylaw does not apply to Board member electronic communications not related to district business or not conducted by a Board member in the Board member's official capacity.

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9100**

## ORGANIZATION

Each year, the Governing Board shall hold an annual organizational meeting. In any year in which a regular election of district Board members is conducted, the organizational meeting shall be held within 15 days following the second Friday in December after the regular election. During all other years, the meeting may be held on any date in December, but no later than December 20th. (EC 35143)

During any year in which a regular election is conducted, the Board, at the regular meeting held immediately prior to the second Friday in December, shall select the day and time of the organizational meeting. For any other year, the day and time of the organizational meeting shall be selected at the last regular meeting held immediately before the annual meeting. On behalf of the Board, the Superintendent shall notify the County Superintendent of Schools of the day and time selected. Within 15 days prior to the date of the annual meeting, the Superintendent shall notify in writing all Board members and members-elect of the date and time selected for the meeting. (EC 35143)

At this meeting the Board shall:

1. Elect a president and a clerk from its members

2. Appoint the Superintendent as secretary to the Board

3. Authorize signatures

4. Approve a schedule of regular meetings for the year and a Board governance calendar stating the time when the Board will address important governance matters

5. Designate Board representatives to serve on committees or commissions of the district, other public agencies, or organizations with which the district partners or collaborates

6. Review and/or consider resources that define and clarify the Board's governance and leadership roles and responsibilities including, but not limited to, governance standards, meeting protocols, Board rules and bylaws, and other Board development materials

### Election of Officers

The Board shall each year elect its entire slate of officers.

The election of Board officers shall be conducted during an open session of the annual organizational meeting.

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9110**

## TERMS OF OFFICE

The Governing Board shall consist of five members whose terms shall be staggered so that as nearly as practicable, one half of the members shall be elected in each year in which the Board's elections are regularly held. (EC 35012)

The term of office for Board members elected in regular elections shall be four years, commencing on the second Friday in December following their election. (EC 5017)

Board members whose terms have expired shall continue to discharge the duties of office until their successors have qualified by taking the oath of office. (EC 5017; GC 1302, 1360)

If a regularly scheduled Board election date is changed due to consolidation with a statewide or municipal general election, the term of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9121**

## PRESIDENT

The Governing Board shall elect a president from among its members to provide leadership on behalf of the governance team and the educational community it serves.

To ensure that Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall:

1. Call such meetings of the Board as he/she may deem necessary, giving notice as required by law

2. Consult with the Superintendent or designee on the preparation of Board meeting agendas

3. Call the meeting to order at the appointed time and preside over the meeting

4. Announce the business to come before the Board in its proper order

5. Enforce the Board's bylaws related to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act

6. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference

7. Facilitate the Board's effective deliberation, ensuring that each Board member has an opportunity to participate in the deliberation and that the discussion remains focused

8. Rule on issues of parliamentary procedure

9. Put motions to a vote, and clearly state the results of the vote

The president shall have the same rights as other members of the Board, including the right to discuss and vote on all matters before the Board.

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

1. Signing all instruments, acts, orders, and resolutions necessary to comply with legal requirements and carry out the will of the Board

2. Working with the Superintendent or designee to ensure that Board members have necessary materials and information

3. Subject to Board approval, appointing and dissolving all committees

**BYLAWS OF THE BOARD** **BB 9121**

**PRESIDENT (continued)**

4. In conjunction with the Superintendent or designee, representing the district as the Board's spokesperson in communications with the media

5. Leading the Board's advocacy efforts to build support within the local community and at the state and national levels

The president shall participate in the California School Boards Association's Board President's Workshop and other professional development opportunities to enhance his/her leadership skills.

When the president resigns or is absent, the clerk shall perform the president's duties. When both the president and clerk are absent, the Board shall choose a president pro tempore to perform the president's duties.

Date Adopted: June 28, 2000
Date Revised: January 9, 2008, September 3, 2008, October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9122**

## SECRETARY

The Governing Board shall appoint the Superintendent to serve as secretary to the Board. The secretary to the Board shall be responsible for maintaining an accurate and complete record of all Board proceedings and shall:

1. Prepare, distribute and maintain the Board agenda
2. Record, distribute and maintain the Board minutes
3. Maintain Board records and documents
4. Conduct official correspondence for the Board
5. As directed by the Board, sign and execute official papers
6. Perform other duties as assigned by the Board

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9123**

## CLERK

The Governing Board shall elect a clerk from its own membership at the annual organizational meeting. (EC 35143)

The duties of the clerk shall be to:

1. Certify or attest to actions taken by the Board when required
2. Maintain such other records or reports as required by law
3. Sign documents on behalf of the district as directed by the Board
4. Serve as presiding officer in the absence of the president
5. Perform any other duties assigned by the Board

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9124**

## ATTORNEY

The Governing Board recognizes the complex legal environment in which districts operate, the need to provide legal representation for the district, and the importance of reliable, cost-effective, high-quality legal advice and services.

In order to meet the district's legal needs, the Board may appoint legal counsel and fix and order paid legal counsel's compensation as an employee or as an independent contractor. (EC 35041.5)

The Board may enter into independent contractor services agreements with county counsel, law firms, attorneys in private practice, and other public or private legal services entities. (EC 35204, 35205; (GC 26520, 26529)

The Board also supports pursuing collaborative legal efforts with other districts as well as other government agencies as appropriate.

### Duties of Legal Counsel

The district's legal counsel may: (EC 35041.5)

1. Render legal advice to the Board and the Superintendent or designee

2. Serve the Board and the Superintendent or designee in the preparation and conduct of district litigation and administrative proceedings

3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures

4. Perform other administrative duties as assigned by the Board and Superintendent or designee

### Retaining Legal Counsel

When the district is seeking legal advice or representation, the Superintendent or designee shall identify prospective attorney(s), firm(s), and/or legal services entity(ies).

The district may, but is not required to, initiate a Request for Proposals to advertise and solicit proposals for legal services. In evaluating the prospective attorney(s), firm(s), and/or entity(ies), the Board and Superintendent may consider the attorney's, firm's, and/or entity's background, experience, and relevant legal reputation; experience advising and representing school districts in California; fees; and experience of attorneys at the firm who will provide legal services.

Any attorney representing the district shall be admitted to practice law in California. (EC 35041.5)

The Board and Superintendent shall periodically evaluate the performance of the firm(s) and/or

**BYLAWS OF THE BOARD** **BB 9124**

**ATTORNEY (continued)**

attorney(s); the efficiency and adequacy of advice; the results obtained for the district; the reasonableness of fees; and the responsiveness to and interactions with the Board, administration, and community.

The Board may use such evaluation(s) to determine whether to renew any current agreement(s) for legal services.

The Board may also contract for specialized legal services, as appropriate, when a majority of the Board determines that the unique demands of a particular issue or emergency situation require such representation.

**Contacting Legal Counsel**

The Board president, or Superintendent or designee, may, at their discretion, confer with district legal counsel subject to any limits or parameters established by the Board. In addition, the Board president, or Superintendent or designee, may contact district legal counsel to provide the Board with legal information or advice when so directed by a majority of the Board.

Individual Board members other than the Board president may not seek advice from district legal counsel on matters of district business unless so authorized by the Superintendent, the Board president, or a majority of the Board.

Date Adopted: August 2, 2000
Date Revised: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BYLAWS OF THE BOARD** **BP 9130**

## COMMITTEES

Committee of the Whole

The Board shall act as a committee of the whole in final consideration of all matters.

Temporary Board Committees

Temporary or special committees may be established to study selected topics and make recommendations to the Board as a whole. Written charges or duties shall be given at the time of appointment. When the charges or duties have been completed, the committee shall be dissolved.

Membership of Board members will be limited to two (2).

The Superintendent or designee shall be a member of any such committee.

It shall be the responsibility of such committees to make use of professional expertise and resources within and outside the District. These committees are encouraged to actively seek input and participation by parents, staff, community, and students, as well as consult with other local public boards and agencies.

Committees shall act in an advisory capacity making recommendations to the Board but shall take no action which is binding on the full Board.

*Legal Reference:*
*Education Code*
*35010 Control of District; Prescription and Enforcement of Rules*
*35024 Executive Committee*
*35160 Authority of Governing Boards Commencing January 1, 1976*

Date Adopted: August 2, 2000

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BYLAWS OF THE BOARD** **BP 9140**

## BOARD REPRESENTATIVES

Negotiators

The Board may designate a negotiator to assist the Superintendent to represent it in negotiations with employees.

The Board's role in the negotiation process shall be to:

1. Assess, to the best of its ability, the needs of employees

2. Set priorities for the total educational program in the best interests of students, the District, and public in general

3. Translate educational priorities and employee needs into a realistic budget

4. Maintain the Board's position of authority as provided by law

Other Advisory Committees

The Board may appoint any of its members to serve on advisory committees or as representatives to other public agencies or organizations when the Board deems such appointments desirable.

*Legal Reference:*
*Education Code*
*35020-35046 School District Officers and Agents (Power of Governing Board to Employ or Appoint)*

*Government Code*
*3540-3549.3 Public Educational Employer - Employee Relations*

Date Adopted: August 2, 2000

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9200**

## LIMITS OF BOARD MEMBER AUTHORITY

The Governing Board recognizes that the Board is the unit of authority over the district and expects individual Board members to conduct themselves in accordance with Board Bylaw 9000 - Role of the Board and Board Bylaw 9005 - Governance Standards. Unless agreed to by the Board as a whole, an individual Board member possesses no authority to direct staff, represent the Board or the district, or exercise administrative responsibility with respect to the schools.

Additionally, individual Board members do not have the authority to investigate, resolve, or otherwise actively engage with community members with respect to complaints, personnel or student matters, or legal issues. Any Board member who receives a communication regarding such a topic shall forward the communication to or otherwise inform the Superintendent or Board president, as appropriate, who shall respond or otherwise follow-up, as needed. The Board member shall not respond substantively to the communication beyond acknowledging receipt and explaining the limits of the Board member's authority. It shall be the responsibility of the Superintendent or Board president to inform the Board or place the topic on a future Board agenda.

Individual Board members are permitted to engage with community members, including responding to general inquiries or expressions of opinion. Such engagement shall be consistent with Board policies and bylaws such as Board Bylaw 9010 - Public Statements and Board Bylaw 9012 - Board Member Electronic Communications, and may not purport to represent the position of the Board.

Requests for information by an individual Board member shall be submitted to the Superintendent.

A Board member may observe and/or volunteer in a school or classroom, including in the school or classroom in which the Board member's child is enrolled, in accordance with Board Policy/Administrative Regulation 1240—Volunteer Assistance and Board Policy/Administrative Regulation 5020 - Parent Rights and Responsibilities. Prior to observing or volunteering, a Board member shall inform the Superintendent. Additionally, a Board member who is present on district property or at district programs or activities is expected to be aware of the role and limits on authority as a Board member.

A Board member who chooses to observe or volunteer shall do so in a manner that does not disrupt school operations. Any questions or concerns regarding operational or personnel matters shall be directed to the Superintendent or designee. Any questions or concerns specific to the Board member's child may be directed to appropriate site staff. If a question or concern is both specific to the Board member's child and involves operational or personnel matters, the Board member shall collaborate with the Superintendent or designee to determine whether the Board member shall direct the question or concern to site staff or whether the responsibility to investigate or resolve the question or concern, if necessary, lies with the Superintendent or designee.

**BYLAWS OF THE BOARD** **BB 9200**

**LIMITS OF BOARD MEMBER AUTHORITY (continued)**

Date Adopted: May 31, 2000
Date Revised: October 8, 2025, September 2, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9220**

## GOVERNING BOARD ELECTIONS

### Board Member Qualifications

Any person is eligible to be a member of the Governing Board, without further qualifications, if the person is: 18 years of age or older; a citizen of California; a resident of the school district or, if applicable, the trustee area; a registered voter; and not legally disqualified from holding civil office. (EC 35107)

A person is not eligible to be a member of the Board if they have been convicted of an offense(s) as specified in law, except when the person has been granted a pardon in accordance with law.

A district employee duly elected to the Board shall resign from district employment, or shall otherwise cease being a district employee, before being sworn in. If a district employee duly elected to the Board is sworn in and remains a district employee, then the district's employment of the employee shall automatically terminate upon being sworn into office. (EC 35107)

Additionally, a person duly appointed or elected to the Board who holds an incompatible office at the time the Board member is sworn in to office as a Board member, may not continue to serve in the incompatible office, and shall be deemed to have forfeited the incompatible office in accordance with Government Code 1099.

The Board encourages all candidates to become knowledgeable about the role of board members. Upon request by a Board candidate, the Superintendent or designee shall provide the candidate with:

1. Information regarding the responsibilities and expectations of a Board member, including information regarding available workshops, seminars, and/or training.
2. The county election official's contact information and general information about school programs, district operations, and Board responsibilities.

A candidate's residence address, telephone number, and email address recoded with the applicable county election official shall be kept confidential in accordance with state law. (Elections Code 2166.9).

### Recalling a Board Member

To commence a recall of a Board member, proponents shall serve, file, and publish or post a notice of intention to circulate the recall petition as specified by law and any applicable elections official directives. Additionally, the recall petition shall be in the format provided by the Secretary of State and include, among other things, an estimate of the cost of conducting the special election, as determined by the elections official, in consultation with the district. (Elections Code 11000-11386).

Within 14 days after the regular meeting at which the Board receives a certificate of sufficiency of signatures on a recall petition from an elections official, the Board shall order an election to be held to determine whether the Board member named in the petition shall be recalled. The election shall be

**BYLAWS OF THE BOARD** **BB 9220**

**GOVERNING BOARD ELECTIONS (continued)**

held not less than 88, nor more than 125, days after the date that the Board orders the election. However, the election may be conducted within 180 days after the issuance of the Board's order to consolidate the election with a regularly scheduled election. (Elections Code 11240-11242)

A recall election of a Board member shall be conducted in accordance with Elections Code 11381-11386.

If a recall of a Board member is successful, that Board member's seat becomes vacant and shall be filled in accordance with Education Code 5090-95 and Board Bylaw 9223 - Filling Vacancies.

However, a recalled Board member may not be appointed to the seat that was vacated by the recall. (Elections Code 11382).

**Elections Process and Procedures**
For each election, upon receipt of the certified statement of the results of the election from the applicable county elections officials, the Board shall declare which individuals have been elected to the Board in accordance with law. (Elections Code 15372, 15400)

**Election by Trustee Area**
Each Board member shall reside in the trustee area they represent and shall be elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Following each decennial federal census the Board shall adjust the boundaries of the district's trustee areas in accordance with Elections Code 21100-21180. (EC 5019.5)

The Board may review the district's Board election method to determine whether any modification is necessary.

The election method or trustee-area boundaries in effect at the beginning of a Board member's term shall be used when any vacancy that occurs during that term is to be filled, even if, during the term, the district has adopted "by-trustee area" election method or trustee area boundaries have been adjusted.

**Campaign Finance**

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign contributions, funding, and expenditures.

A Board candidate shall not expend or accept any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board,

**BYLAWS OF THE BOARD** **BB 9220**

**GOVERNING BOARD ELECTIONS (continued)**

provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (GC 85300)

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

**Statement of Qualifications**
On the 125th day prior to the day fixed for the general district election, the Board secretary or designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the applicable election and which offices, if any, are for the balance of an unexpired term

2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution. (Elections Code 13307)

The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

**Tie Votes in Board Member Elections**
Whenever the County Superintendent of Schools with primary jurisdiction for the district certifies to the Board that there is a tie vote such that it is impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time and place shall determine the winner by lot. (EC 5016).

Date Adopted: June 28, 2000
Date Revised: October 8, 2025, October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**EXHIBIT (1)**

**BYLAWS OF THE BOARD** **E(1)9220**

## GOVERNING BOARD ELECTIONS

This exhibit is a non-exhaustive list of offenses the conviction of which disqualifies a person from holding public office, including as a Governing Board member of a school district, in the State of California.

1. California Constitution, Article VII, Section 8: Giving or offering a bribe to procure personal election or appointment

2. California Constitution, Article VII, Section 8: Committing bribery, perjury, forgery, malfeasance in office, or other high crimes

3. Penal Code 67: Giving or offering a bribe to any executive officer in the state to influence any decision made by that officer in their official capacity

4. Penal Code 68: While an executive or ministerial officer, employee, or appointee of the state, a county, a city, or another political subdivision of the state, asking for, receiving, or agreeing to receive any bribe to influence any decision made by that person in their official capacity

5. Penal Code 74: As a public officer, for gratuity or reward, appointing another person to public office, or permitting another person to exercise or discharge the duties of their office

6. Penal Code 88: While a member of the Legislature or of a legislative body of a city, county, city and county, school district, or other special district, committing any of various crimes against the Legislative power, including bribery and logrolling

7. Penal Code 98: While an officer, committing any of various bribery and corruption crimes against the public justice as specified in Penal Code 92-100, including bribing or threatening judges or jurors

8. Penal Code 165: Giving or offering a bribe to a member of a city council or a board of supervisors to influence any decision made by that member in their official capacity

9. Penal Code 424: While an officer of the state or of any county, city, town, or district of the state, or while otherwise charged with the receipt, safekeeping, transfer, or disbursement of public moneys, appropriating such moneys for personal use, or refusing to pay any public moneys as required by law

10. Penal Code 2772: Interfering with the work of prisoners employed at a road camp, or giving or attempting to give such prisoners any controlled substances, intoxicating liquors, firearms, weapons, or explosives of any kind

11. Penal Code 2790: Interrupting the work of prisoners employed at a public park or camp, or giving or attempting to give such prisoners any controlled substances, intoxicating liquors,

**GOVERNING BOARD ELECTIONS (continued)**

firearms, weapons, or explosives of any kind

12. Government Code 1021: Committing designated crimes as specified in the California Constitution or state law

13. Government Code 1097: While a public official, being financially interested in a contract made in their official capacity, or by any body or board of which the public official is a member, or aiding or abetting a public official in committing such a violation

14. Government Code 9055: While a member of the Legislature or of a legislative body of a city, county, city and county, school district, or other special district, committing any of various crimes against the Legislative power, including bribery and logrolling

15. Government Code 9412: While a member of the Legislature, refusing to appear before the Senate, Assembly, or any committee of the Legislature after being summoned to testify, or while appearing before the Senate, Assembly, or any committee, refusing to be sworn or to answer any material and proper question, or refusing to produce, upon reasonable notice, any material and proper books, papers, or documents in their possession and under their control

16. Elections Code 20: Committing a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes

17. Elections Code 18501: While a public official, aiding the illegal casting of a vote at an election or otherwise facilitating the perpetration of election fraud

Date Adopted: October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9222**

## RESIGNATION

A member of the Governing Board who wishes to resign from the Board shall file a written resignation with the County Superintendent of Schools. (EC 5090)

The resigning Board member shall also notify the Board and give a copy of his/her written resignation to the Board secretary.

The resignation shall become effective when filed with the County Superintendent, except when a deferred effective date is specified in the resignation. A Board member may not defer the effective date of his/her resignation for more than 60 days after he/she files the resignation with the County Superintendent. (EC 5090, 5091)

Once filed, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (EC 5090)

A Board member who tenders his/her resignation with a deferred effective date shall, until the effective date of the resignation, continue to exercise all the powers of the office, except that he/she shall not have the right to vote for his/her successor in an action taken by the Board to make a provisional appointment. (EC 5091, 35178)

A Board member who resigns shall file, within 30 days of leaving office, a revised Statement of Economic Interest/Form 700 covering the period of time between the closing date of the last statement required to be filed and the date he/she leaves office. (GC 87302, 87500)

Date Adopted: May 31, 2000
Date Revised: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9223**

## FILLING VACANCIES

### Events Causing a Vacancy

A vacancy on the Governing Board may arise from any of the following events:

1. The death of an incumbent (GC 1770)

2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of the office for the remainder of the term (GC 1770)

3. A Board member's resignation in accordance with Board Bylaw 9222 - Resignation (GC 1770)

4. A Board member's removal from office by recall (Elections Code 11000-11386; Government Code 1770)

5. A Board member's ceasing to be a resident of the district (GC 1770)

6. A Board member's ceasing to inhabit the trustee area represented by the Board member (GC 1770)

7. A Board member's absence from the state for more than 60 days, except in the following situations: (GC 1064, 1770)

    a. Upon district business with the approval of the Board

    b. With the consent of the Board for an additional period not to exceed a total absence of 90 days or, in the case of illness or other urgent necessity and upon a proper showing thereof, for more than 90 days

For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve during the absence. If two or more Board members are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities. The term of an interim

**BYLAWS OF THE BOARD** **BB 9223**

**FILLING VACANCIES (continued)**

member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

8. A Board member's ceasing to discharge the duties of the office for the period of three consecutive months, except when prevented by sickness or when absent from the state with the permission required by law (GC 1770)

9. A Board member's conviction of a felony or any offense involving a violation of official duties or conviction of a designated crime resulting in a forfeiture of office (GC 1770, 3000-3003)

10. A Board member's refusal or neglect to file the required oath within the time prescribed (GC 1770)

11. The decision of a competent tribunal declaring void a Board member's election or appointment (GC 1770)

12. A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final (GC 1770)

13. A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s) (EC 5090, 5326, 5328)

**Timelines for Filling a Vacancy**

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action. (EC 5093)

2. When a vacancy occurs between six months and 130 days before a regularly scheduled Board election at which the vacant position is not scheduled to be filled, the vacancy shall be filled by a special election consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which the person was elected to fill. (EC 5093)

3. When a vacancy occurs any time outside of the statutory time windows identified in Items #1 and #2 above, the Board shall either order an election or make a provisional appointment within 60 days of the date of the vacancy or the filing of the member's deferred resignation, whichever is sooner. (EC 5091, 5093)

**BYLAWS OF THE BOARD** **BB 9223**

**FILLING VACANCIES (continued)**

### Eligibility for Appointment

In order to be appointed to fill a vacancy on the Board, a person must meet the eligibility requirements specified in law and Board Bylaw 9220 - Governing Board Elections.

### Provisional Appointments

When, as authorized by law, the Board has opted to make a provisional appointment to fill a vacancy, the Board, by resolution, may approve the procedures for selecting the person to be provisionally appointed to fill the vacancy. These procedures may, but are not required to, include the following:

1. Advertising in the local media to solicit candidate applications

2. Establishing a committee consisting of less than a quorum of the Board to ensure that applicants are eligible for Board membership and announce the names of the eligible candidates

3. Interviewing the candidates at a public meeting

Within 10 days after the Board makes a provisional appointment to fill a Board vacancy, the Superintendent or designee, on behalf of the Board, shall post a notice of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The Superintendent or designee shall post the notice as follows: (EC 5092)

1. In three public places in the district or, if applicable, trustee area

2. On the district's website

3. In a newspaper of general circulation published in the district, if such a newspaper exists

The notice shall contain: (EC 5092)

1. The fact of the vacancy or resignation

2. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation

3. The full name of the provisional appointee to the Board and the date of the provisional appointee's appointment

**BYLAWS OF THE BOARD** **BB 9223**

**FILLING VACANCIES (continued)**

4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent of Schools within 30 days of the provisional appointment, the appointment shall become effective

The person appointed shall only hold office until the next regularly scheduled election for district Board members. (EC 5091)

If within 30 days of the Board's appointment, registered voters of the district or, where elections are by trustee areas, of the trustee area, submit a petition for special election that the County Superintendent determines to be legally sufficient, the provisional appointment is terminated, and a special election shall be held in accordance with Education Code 5091 to fill the vacancy.

**Appointment Due to Failure to Elect**

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated and a district election will not be held, the Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election. (EC 5328)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district. This notice shall state that the Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (EC 5328.5)

When, as authorized by law, the Board seeks to make an appointment because of a failure to elect, the Board, by resolution, may approve any additional the procedures for selecting the person to be appointed to fill the vacancy.

Date Adopted: August 2, 2000
Date Revised: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9224**

## OATH OR AFFIRMATION

Prior to entering upon the duties of the office of a Governing Board member or exercising any function of a Board member, each Board member shall take the oath or affirmation required by law. (California Constitution, Article 20, Section 3; GC 1360)

The oath or affirmation may be administered and certified by a Board member, the secretary or assistant secretary to the Board, the Superintendent, the County Superintendent of Schools, the Superintendent of Public Instruction, or any other person authorized in Education Code 60 or GC 1225.

The executed oath shall be filed with the County Clerk. (GC 1363)

Date Adopted: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9230**

## ORIENTATION

The Governing Board recognizes the importance of providing all newly elected or appointed Board members with support and information to assist them in becoming effective members of the Board. Incoming Board members shall be provided an orientation designed to build their knowledge of the district and an understanding of the responsibilities of their position. Such orientation may include the provision of information, support, and/or training related to Board functions, policies, protocols, and standards of conduct.

Upon their election or appointment, incoming Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office. Additional information for incoming Board members may include, but is not limited to, Board bylaws related to the limits of individual Board member authority, the conduct of Board meetings, and other Board operations; governance standards for ethical conduct; legal requirements related to conflict of interest and prohibited political activity; protocols for speaking with district staff, members of the public, and the media; and publications on effective governance practices.

In addition, the Superintendent or designee shall provide incoming Board members with specific background information regarding the district, including, but not limited to, the district's vision and goals statements, local control and accountability plan and other comprehensive plans, student demographic data, student achievement data, district policy manual, district budget, and minutes of recent open Board meetings.

The Superintendent or designee may offer incoming Board members a tour of district schools and facilities, and may introduce them to district and school site administrators and other staff.

Incoming members are encouraged, at district expense and with approval of the Board, to attend the California School Boards Association's Orientation for New Trustees, Institute for New and First-Term Board Members, and workshops and conferences relevant to the needs of the individual member, the Board as a whole, or the district.

Date Adopted: August 2, 2000
Date Revised: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9240**

## BOARD TRAINING

The Governing Board believes that its ability to effectively and responsibly govern the district is essential to promoting student achievement, building positive community relations, and protecting the public interest in district schools. Board members shall participate in trainings on school district finance, ethics, and mandated reporting, as required by this Bylaw. Additionally, Board members are encouraged to participate in ongoing opportunities for professional development to help them understand their responsibilities, stay abreast of new developments in education, and improve their governance skills.

Each Board member shall complete a training in district finance in accordance with Education Code 35220-35223. For Board members in office as of April 1, 2027, the deadline to complete the training is April 1, 2028, unless their term of office ends before April 1, 2028. For Board members elected or appointed to office after April 1, 2027, including a Board member newly elected or appointed to a nonconsecutive term, the deadline to complete the training is one year from the first day of serving as a Board member. Completion of CSBA's Masters in Governance (MIG) Program shall be deemed to satisfy the district finance training requirement.

Additionally, each Board member shall complete ethics training in accordance with Government Code 53234-53235.2 within six months from the first day of serving as a Board member and at least once every two years thereafter. (GC 53235)

In addition, each Board member shall receive annual mandated reporter training in accordance with Board Policy/Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting. (EC 44691; Penal Code 11165.7)

Each Board member shall inform the Board president and Superintendent or designee or designee of the completion of any training required by this Bylaw, and the Superintendent or designee, shall ensure that records of participation and completion are retained for each Board member. (EC 35222; GC 44691, 53235.2)

Upon each Board member's election or appointment, the district shall provide the Board member with a copy of the Brown Act. (GC 54952.7)

The Board president and/or the Superintendent or designee shall provide an orientation to newly elected or appointed Board members consistent with Board Bylaw 9230 - Orientation.

The Board president shall work with the Superintendent or designee to include funds in the district's proposed annual budget for professional development, and associated reasonable travel expenses, for the Board as a whole and for each individual Board member.

Consistent with the availability of funds in the district's adopted annual budget, the Superintendent or Board president or designee may bring to the Board for consideration a proposed Board professional development designed to assist the Board as a whole in understanding the principles of effective

**BYLAWS OF THE BOARD** **BB 9240**

**BOARD TRAINING (continued)**

governance, including but not limited to, information on the district's budget, student achievement, and assessment, labor relations, community relations, program evaluation, open meeting laws (the Brown Act), conflict of interest laws, and other topics necessary to govern effectively and in compliance with law.

The Superintendent or designee shall establish timelines and procedures for how an individual Board member shall request that the district pay for additional professional development opportunities, whether in advance or by reimbursement.

Board members are encouraged to consider participating in professional development opportunities, such as those offered by CSBA, NSBA, or the District's legal consortium.

Individual Board members are encouraged to share the knowledge or skills acquired from individual professional development opportunities with the full Board, thereby benefiting the Board as a whole and the district.

Consistent with Board Bylaw 9320 - Meetings and Notices, Board members may attend a professional development opportunity as part of a conference or similar public gathering, such as the Annual Education Conference and Trade Show hosted by CSBA, so long as a majority of the Board members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the district's jurisdiction

Date Adopted: August 2, 2000

Date Revised: October 8, 2025, October 7, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9250**

## REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

### Compensation

Each member of the Governing Board may receive a monthly compensation of $240. (EC 35120)

On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code 35120 in an amount not to exceed five percent based on the present monthly rate of compensation. (EC 35120)

Board members are not required to accept payment for meetings attended.

Any member who does not attend all Board meetings during the month is eligible to receive only a percentage of the monthly compensation equal to the percentage of meetings he/she attended, unless otherwise authorized by the Board in accordance with law. (EC 35120)

A member may be compensated for meetings he/she missed when the Board, by resolution, finds that he/she was performing designated services for the district at the time of the meeting or that he/she was absent because of illness, jury duty, or a hardship deemed acceptable by the Board. (EC 35120)

### Reimbursement of Expenses

Board members shall be reimbursed for actual and necessary expenses incurred when performing authorized services for the district. Expenses for travel, telephone, business meals, or other authorized purposes shall be in accordance with policies established for district personnel and at the same rate of reimbursement.

Board members shall be reimbursed for travel expenses incurred when performing services directed by the Board. (EC 35044)

Personal expenses shall be the responsibility of individual Board members. Personal expenses include, but are not limited to, the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the Board member on district-related business, personal use of an automobile, and personal losses and traffic violation fees incurred while on district business.

Any questions regarding the propriety of a particular type of expense should be resolved by the Superintendent or designee before the expense is incurred.

### Health and Welfare Benefits for Current Board Members

Board members may participate in the health and welfare benefits program provided for district employees.

**BYLAWS OF THE BOARD** **BB 9250**

**REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS (continued)**

Health and welfare benefits for Board members shall be no greater than that received by the district's nonsafety employees with the most generous schedule of benefits. (GC 53208.5)

Board members who elect to participate shall pay the full cost of premiums.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouse/registered domestic partner and to their eligible dependent children as specified in law and the health plan.

**Health and Welfare Benefits for Former Board Members**

Former Board members may participate in the health and welfare benefits program provided for district employees under the conditions specified below.

Health and welfare benefits for former Board members shall be no greater than those received by district nonsafety employees with the most generous schedule of benefits. (GC 53208.5)

Any other former Board member who served at least one term may participate in the health and welfare benefits program at his/her own expense if coverage is in effect at the time he/she leaves office. (GC 53201)

Any former Board member leaving the Board after at least one term of office may participate in the health and welfare benefits program at his/her own expense if coverage is in effect at the time of retirement. (GC 53201)

Health and welfare benefits provided to a former Board member shall be extended, at his/her expense and at the same level, to his/her spouse/registered domestic partner and eligible dependent children as specified in law and the health plan.

Date Adopted: November 2, 2016
Date Revised: October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9260**

## LEGAL PROTECTION

### Liability Insurance

The Governing Board shall provide insurance necessary to protect Board members from liability caused by a negligent act or omission that occurs within the scope of the Board member's office in accordance with Education Code 35208.

### Protection Against Personal Liability

No Board member shall be liable for any harm caused by the Board member's negligent act or omission when acting within the scope of the Board member's responsibilities, including, but not limited to, Board responsibilities as specified in Board Bylaw 9000 - Role Of The Board. Additionally, no Board member shall be vicariously liable for injuries caused by the district's acts or omissions. (Education Code 35208; Government Code 820.9)

In addition, no Board member shall be liable for any harm caused by the Board member's act or omission if the Board member was acting within the scope of the Board member's responsibilities, made in conformity with federal, state, and local laws, and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC 7946)

This protection against liability shall not apply when: (20 USC 7946)

1. The Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety

2. The Board member caused harm by operating a motor vehicle

3. The Board member was not properly licensed, if required, by the State for such activities

4. The Board member was found by a court to have violated a federal or state civil rights law

5. The Board member was under the influence of alcohol or any drug at the time of the misconduct

6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the Board member has been convicted in a court

7. The misconduct involved a sexual offense for which the Board member has been convicted in a court

Nothing in this Board bylaw is intended to protect a Board member from criminal or civil liability for injury caused by the Board member's own wrongful conduct, for certain violations of law, including

**BYLAWS OF THE BOARD** **BB 9260**

**LEGAL PROTECTION (continued)**

the Brown Act, or for liability from the requirement to reimburse the district under certain circumstances as specified in law. (GC 820.9, 825, 825.6, 54959, 54960)

Date Adopted: May 31, 2000
Date Revised: October 8, 2025

**BYLAWS OF THE BOARD** **BB 9270**

## CONFLICT OF INTEREST

The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no "District Official," defined as a Board member or position designated in the district's conflict of interest code, shall participate in the making of any decision for the district when the decision will or may be affected by the District Official's financial, family, or other personal interest or consideration, as defined by law.

Additionally, a Board member shall abstain from voting on personnel matters that uniquely affect the Board member's relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which the Board member's relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by common law, or an individual in an adoptive relationship within the third degree. (EC 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner, unless the individual is widowed or divorced.

### Conflict of Interest Code

The Board shall adopt a conflict of interest code for the district that incorporates the provisions of 2 CCR 18730 by reference, delineates the District Officials, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body.

Upon direction by the code reviewing body, the Board shall review its conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (GC 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new District Officials or changes to the duties of District Officials, the Board shall amend the code, which shall then be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (GC 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (GC 87311)

### Conflict of Interest under the Political Reform Act

A District Official shall not make, participate in making, or in any way use or attempt to use an official

**BYLAWS OF THE BOARD** **BB 9270**

**CONFLICT OF INTEREST (continued)**

position to influence a governmental decision in which the District Official knows or has reason to know that there is a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the District Official's immediate family, or any financial interest described in 2 CCR 18700. (GC 87100, 87101, 87103; 2 CCR 18700-18707)

A District Official makes a governmental decision when, acting within the authority of the office or position, the District Official authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before other District Officials for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

However, a District Official is not prohibited from participating in the making of a contract in which the District Official has a financial interest if such participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

**Conflict of Interest from Campaign Contributions**

Prior to the district rendering a decision in a proceeding before the district involving a contract, license, permit, or other entitlement for use, as defined by Government Code 84308, a Board member whose campaign committee received a contribution of more than $500 from any party or participant to the proceeding, or from an agent of such a party or participant, in the prior 12 months, and the party who made such a contribution, shall both publicly disclose that fact on the record of the proceeding. Additionally, if a Board member willfully or knowingly received a contribution to the Board member's campaign committee of more than $500 from any party or participant to such a proceeding, or from an agent of a party or participant, in the prior 12 months, and knows or has reason to know that the participant has a financial interest in the district's decision, the Board member shall not make, participate in making, or in any way attempt to use the Board member's official position to influence the district's decision in the proceeding. However, a Board member may make, participate in making, or attempt to use the Board member's official position to influence the decision if the contribution is returned within 30 days after the decision was made or after the Board member knows or should have known about the contribution and the proceeding, whichever is later.

All Board members and the Superintendent are prohibited from accepting, soliciting, or directing a contribution of more than $500 to a candidate or ballot measure campaign committee from any party or participant to a proceeding before the district involving a contract, license, permit, or other entitlement for use, as defined by Government Code 84308, or from an agent of a party or participant, while the proceeding is pending before the district and for 12 months following the date the district renders a final decision in the proceeding, if the Board member or Superintendent knows or has reason to know that the participant has a financial interest in the district's decision. However, if a Board member or the Superintendent does accept, solicit, or direct such a contribution during those

**BYLAWS OF THE BOARD** **BB 9270**

**CONFLICT OF INTEREST (continued)**

12 months but did not do so knowingly or willingly, the Board member or the Superintendent may cure the violation by ensuring that the contribution, or the portion exceeding $500, is returned within 30 days of accepting, soliciting, or directing the contribution. The Board member or Superintendent shall maintain records of curing the violation. (GC 84308)

For a Board member or the Superintendent, a proceeding becomes "pending" when an item involving the contract, license, permit, or other entitlement for use, as defined by Government Code 84308, is placed on a Board agenda for discussion or decision or when it is reasonably foreseeable that the proceeding will come before the district for a decision. For a party or participant, and the agent of a party of participant, a proceeding becomes "pending" when an application is filed with the district, or, if the proceeding process does not require an application, when the proceeding is before the district for a decision or other action. (GC 84308)

The contributions disclosure requirements and restrictions above do not apply to contracts that are required to be competitively bid, labor contracts, personal employment contracts, contracts valued under $50,000, contracts where no party receives financial compensation, or contracts with another governmental agency. (GC 84308)

**Form 700**

Each District Official shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. An individual who ceases to be a District Official shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date the individual ceased to be a District Official. (GC 87302)

**Conflict of Interest under Government Code 1090 - Financial Interest in a Contract**

A District Official shall not be financially interested in any contract made by the district, including in the development, internal discussions, negotiations, modifications, planning, deliberation of issues, and specifications and solicitations for bids. If a District Official has such a financial interest in a contract made by the district, the contract is void. (GC 1090)

**Remote Interest Exception to Government Code 1090**

A Board member shall not be considered to be financially interested in a contract in which there is only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. (GC 1091)

**BYLAWS OF THE BOARD** **BB 9270**

## CONFLICT OF INTEREST (continued)

### Noninterest Exception to Government Code 1090

A District Official shall not be considered to be financially interested in a contract if the interest is reimbursement for actual and necessary expenses incurred in the performance of official duties, in the employment of a spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other "noninterest" specified in Government Code 1091.5.

### Common Law Doctrine Against Conflict of Interest

A District Official shall abstain from any official action in which the District Official's private or personal interest may conflict with official duties pursuant to the common law doctrine against conflict of interest.

### Incompatible Offices and Activities

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (GC 1099, 1126)

### Gifts

District Officials may accept gifts only under the conditions and limitations specified in law including, but not limited to, Government Code 89503 and 2 CCR 18730.

Gifts of travel and related lodging and subsistence shall be subject to the current gift conditions and limitations, except when: (GC 89506)

1. The travel is in connection with a speech given by a District Official, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States

2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code

Gifts of travel exempted from the gift limitation, as described in Items #1 and 2 above, shall

**BYLAWS OF THE BOARD** **BB 9270**

**CONFLICT OF INTEREST (continued)**

nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for District Officials. (GC 89506)

### Honoraria

District Officials shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (GC 89501, 89502)

The term honorarium does not include: (GC 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches

2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

### Advice

Any District Official, who, in good faith, believes that they may be subject to the requirements of this Bylaw and has questions, is unclear, or is unsure regarding the application of the requirements of this Bylaw to any particular instance or situation, may seek advice from the district's legal counsel with the permission of the Superintendent, Board President, or majority of the Board.

### Training

Unless a Board member's term expires prior to January 1, 2026, each Board member shall complete ethics training in accordance with Government Code 53234-53235.2 by January 1, 2026, and at least once every two years thereafter as specified in Board Bylaw 9240 - Board Training.

Date Adopted: September 6, 2000
Date Revised: October 6, 2004, July 22, 2008, August 3, 2016, November 4, 2020, October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BYLAWS OF THE BOARD** **BP 9310**

## BOARD POLICIES

The Board recognizes that its most important function is the establishment of long-range policies for the District. The Board acknowledges that these policies must provide for the best possible education for its students, and must also reflect mature consideration of the will and needs of the community.

In order to assure that policy adopted by the Board is timely, legal, consistent, and in the public interest, the Board appoints the Superintendent as policy coordinator.

Procedures for adoption of policy shall conform in all respects to the bylaws of the Board concerning agendas, meetings, and voting. The procedures shall provide a means whereby all interested parties in the school community may submit proposals for additions and amendments to the District policy manual, and may contribute opinions and information for the Board's consideration.

The Superintendent shall ascertain any conflicts between proposed and existing policies and bring them to the attention of the Board.

The draft of a new or revised policy shall be presented in the Board meeting agenda for preliminary review. At the public Board meeting, the Board shall discuss the draft policy, open the floor for comments on the policy, and make revisions if needed. Should revisions be necessary, the Board may vote to adopt the policy subject to the noted revisions or may choose to bring the revised policy back to a subsequent meeting for a second reading. At its second reading, the Board may take action on the proposed policy. The Board may waive the second reading or may require an additional reading if necessary. Once the Board is satisfied with the content of a policy, the policy shall be adopted by a majority vote of all members of the Board. The action shall be recorded in the minutes. Only those written statements adopted and recorded shall constitute official Board policy.

Board policy is an ever-changing statement of District educational, operational, and managerial needs. New policies will be necessary and existing policies will require revision. Policy development and maintenance shall be the responsibility of all Board members working with the Superintendent.

The Superintendent or his designee shall provide the District policies by the most convenient and cost-effective method to the following:

1. Board members.

2. Other key District personnel.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

## BYLAWS OF THE BOARD — BP 9310

## BOARD POLICIES

A public copy shall be maintained in the District office for review by all interested parties during normal business hours.

The Superintendent shall develop procedures for distributing copies of new or amended policies as they are adopted.

*Legal Reference:*
*EDUCATION CODE*
*35010 Control of district; prescription and enforcement of rules*
*35160 Authority of governing boards*
*35160.5 Annual review of school district policies*
*35163 Official actions, minutes and journal*
*35164 Vote requirements*
*Management Resources:*
*CSBA PUBLICATIONS*
*Targeting Student Learning: The School Board's Role as Policymaker, 2005*
*Maximizing School Board Leadership: Policy, 1996*
*WEB SITES*
*CSBA, Policy Services, including Policy Update Service, Governance and Management Using Technology (GAMUT OnlineTM), Policy Audit Program, Individual District Policy Workshops, Agenda Online, and Manual Maintenance: http://www.csba.org/ps*
*National School Boards Association: http://www.nsba.org*

(10/94 6/99) 7/06

Date Adopted: May 31, 2000
Date Revised: August 6, 2008, September 3, 2008

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9320**

## MEETINGS AND NOTICES

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. The Board may meet in open session or closed session, as necessary, In accordance with applicable open meeting laws (Brown Act), and Board Bylaw 9320.1 - Remote Meetings and Attendance, Board Bylaw 9321 - Closed Session, Board Bylaw 9322 - Agenda/Meeting Materials, and Board Bylaw 9323 - Meeting Conduct.

A Board meeting exists whenever a majority of Board members gathers at the same time and location, including remotely or electronically, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board. (GC 54952.2)

In accordance with Board Bylaw 9012 - Board Member Electronic Communications, a majority of the Board shall not use a series of communications of any kind, directly or through intermediaries or technology, including official or personal social media accounts, to discuss, deliberate, or take action on any matter that is within the subject matter jurisdiction of the Board. (GC 54952.2)

However, the Superintendent or designee may engage in separate conversations or communications with Board members in order to answer questions or provide information regarding any matter within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (GC 54952.2)

### Regular Meetings

Unless otherwise determined by the Board, the Board shall hold one regular Board meeting each month starting at 5:00 p.m. on the first Wednesday of the month at Enterprise Elementary School District, 1155 Mistletoe Lane, Redding, California.

At least 72 hours prior to a regular Board meeting, the agenda shall be posted at one or more locations freely accessible to members of the public, on the district's website, and at any location required by Board Bylaw 9320.1 - Remote Meetings and Attendance. (GC 54954.2)

Consistent with Board Bylaw 9322 - Agenda/Meeting Materials, whenever agenda materials relating to an open session of a regular Board meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. The records shall be posted on the district website at the time the materials are distributed to all or a majority of the Board if distributed outside of business hours. (GC 54957.5)

### Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members on any topic within the subject matter jurisdiction of the Board unless otherwise

**BYLAWS OF THE BOARD** **BB 9320**

**MEETINGS AND NOTICES (continued)**

prohibited by law.

At least 24 hours before the noticed start time, written notice of a special Board meeting shall be: (GC 54953.8, 54953.8.3, 54956)

1. delivered personally or by any other means to all Board members and the local media who have requested such notice in writing
2. posted on the district's website and in a location freely accessible to the public.

3. Posted in any location required by Board Bylaw 9320.1 - Remote Meetings and Attendance

The notice shall specify the time and location of the special Board meeting and the business to be transacted or discussed. No other business shall be considered. (EC 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the special Board meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (EC 35144; Government Code 54956)

**Emergency Meetings**
In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency Board meeting as long as it complies with all requirements of a special Board meeting, except the 24-hour notice and/or 24-hour posting requirements. (GC 54956.5)

The Board may meet in closed session during an emergency Board meeting so long as two-thirds of the members present at the meeting agree or, if less than two-thirds of the members are present, by unanimous vote of the members present. (GC 54956.5)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency Board meeting by telephone or email at least one hour before the meeting to the local media that have requested notice of special Board meetings. As applicable, All telephone numbers or email addresses provided by the media in the most recent request for notification shall be exhausted. If telephone or internet services are not functioning, the notice requirement of one hour is waived and, as soon after the emergency Board meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification as is given to the other members of the Board. (GC 54956.5)

The minutes of the emergency Board meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon as possible after the meeting 54956.5)

**BYLAWS OF THE BOARD** **BB 9320**

## MEETINGS AND NOTICES (continued)

An *emergency* means a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board. (GC 54956.5)

A *dire emergency* means a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency Board meeting may endanger the public health and/or safety as determined by a majority of the members of the Board. (GC 54956.5)

### Adjourned/Continued Meetings

The Board may adjourn/continue any regular or special Board meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn/continue such a meeting. If no Board members are present, the secretary or the clerk may declare the Board meeting adjourned/continued to a later time and location and shall give notice in the same manner required for special Board meetings. (GC 54955)

Within 24 hours after the time of adjournment/continuance, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the location where the Board meeting was held. (GC 54955)

### Study Sessions

The Board may convene a study session to study an issue in more detail, discuss Board roles and relationships, or to receive information from staff or feedback from members of the public. Any such Board meeting, regardless of title or topic, shall be held as a regular or special Board meeting, as appropriate, and shall comply with all other requirements for regular or special Board meetings. (GC 54956)

### Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (GC 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members

2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern

3. An open and noticed meeting of another body of the district

**BYLAWS OF THE BOARD** **BB 9320**

**MEETINGS AND NOTICES (continued)**

4. An open and noticed meeting of a legislative body of another local agency

5. A purely social or ceremonial occasion

6. An open and noticed meeting of a standing committee of the Board established pursuant to Board Bylaw 9130 - Board Committees, provided that the Board members who are not members of the standing committee attend only as observers

Individual contacts or conversations between a Board member and any other person that are not part of a series of communications prohibited by the Brown Act are permitted. (GC 54952.2)

**Location of Meetings**

Unless the Board is holding a remote Board meeting during a proclaimed state of emergency or local emergency in accordance with Board Bylaw 9320.1 - Remote Meetings and Attendance, all Board meetings shall be held within district boundaries, except to do any of the following: (GC 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party

2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property

3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district

5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction

6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility

7. Visit the office of the district's legal counsel to meet in closed session on pending litigation, when doing so would reduce legal fees or costs

8. Attend conferences on nonadversarial collective bargaining techniques

**BYLAWS OF THE BOARD** **BB 9320**

**MEETINGS AND NOTICES (continued)**

9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district

10. Interview a potential employee from another district

All Board meetings, regardless of location, shall comply with the applicable notice and open meeting requirements. Additionally, no such meeting may be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, which is inaccessible to individuals with disabilities, or where members of the public must make a payment or purchase in order to be admitted. (GC 54961)

If a fire, flood, earthquake, or other emergency renders the posted regular or special Board meeting location unsafe and the deadline for posting the location has passed, the meeting shall be held at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of meetings pursuant to Government Code 54956 by the most rapid available means of communication. (GC 54954)

Date Adopted: August 2, 2000
Date Revised: October 2, 2002, September 6, 2006, September 3, 2008, January 6, 2016, October 8, 2025, May 27, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9320.1**

## REMOTE MEETINGS AND ATTENDANCE

The Governing Board recognizes the need, when permitted by law, to hold Board meetings in which the Board members meet remotely or in which individual Board members attend and participate remotely.

### Definitions

*Local emergency* means either of the following that impacts persons under the jurisdiction of the district or property within the boundaries of the district: (GC 54953.8.2)

1. A condition of extreme peril proclaimed by a city, county, or city and county pursuant to Government Code 8630

2. A local health emergency proclaimed pursuant to Health and Safety Code 101080

*Remote* means not being physically present at the primary in-person location of a Board meeting, and includes the terms "teleconference" and "virtual."

*Remote attendance and participation* means the ability to attend and participate in a Board meeting by electronic means, through either audio or visual technology, or both.

*Remote Board Member* means a Board member, not physically present at the Board meeting, who nonetheless seeks to attend and participating in a Board meeting.

*State of Emergency* means state of emergency proclaimed pursuant to Government Code 8625.

### Traditional Method of Remote Attendance

A remote Board member may attend and participate in a Board meeting so long as all of the following conditions are met: (GC 54953)

1. All votes taken during the meeting are by rollcall

2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board

3. The physical location of the remote Board member is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the remote Board member; may hear, listen to, or watch the meeting to the same extent as the remote Board member; and may make public comment during the same portion of the agenda as other members of the public from the same location as the remote Board member

4. The location from which the remote Board member will attend the meeting is noted in the agenda and the agenda is posted at that location in advance of the meeting as statutorily

## REMOTE MEETINGS AND ATTENDANCE (continued)

required based on the type of meeting

5. At least a quorum of the Board is within district boundaries

**Remote Attendance as an Accommodation**

A Board member with a qualifying disability under the Americans with Disabilities Act that precludes the Board member from attending a Board meeting in person or from attending and participating remotely in a Board meeting using the method specified in "Traditional Method of Remote Attendance" above may request to attend and participate remotely as a reasonable accommodation for the Board member's disability.

If the request is granted based on the district's process for reviewing reasonable accommodations, the remote Board member shall be permitted to attend and participate in the Board meeting as long as the following requirements are met: (GC 54953)

1. All votes taken during the meeting are by rollcall

2. The remote Board member utilizes both audio and visual technology to participate in the meeting, except no visual technology shall be required if a physical condition related to their disability results in a need to participate off camera

3. The remote Board member publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual

In this circumstance, the following conditions are not required: (GC 54953)

1. Including the location of the remote Board member in the agenda

2. Making the location of the remote Board member open and accessible to the public

3. Posting the agenda at the location of the remote Board member

Additionally, in this circumstance, the remote Board member shall be considered to be attending in-person at the physical meeting location for all purposes, including any requirement that a quorum participate from any particular location. (GC 54953)

These requirements and conditions may be modified as required by law or the district may offer another reasonable accommodation as appropriate.

**BYLAWS OF THE BOARD** **BB 9320.1**

## REMOTE MEETINGS AND ATTENDANCE (continued)

### Remote Attendance Due to Just Cause

Beginning July 1, 2026, a remote Board member may attend and participate in a Board meeting based on any of the following "just cause" reasons: (GC 54953.8.3)

1. A childcare or caregiving need of a Board member's child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires the Board member to attend and participate remotely

2. A contagious illness that prevents a Board member from attending in person

3. A need related to a Board member's physical or mental condition not otherwise reasonably accommodated

4. A Board member is traveling while on official business of the Board or another state or local agency

5. An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of a Board member requires the Board member to attend and participate remotely

6. A physical or family medical emergency prevents a Board member from attending in person

7. Military service obligations that result in a Board member being unable to attend in person because the Board member is serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the Board member to be at least 50 miles outside the boundaries of the district

The remote Board member shall notify the Board at the earliest possible opportunity, and prior to the agenda posting, of the need to attend and participate remotely for just cause, including the general circumstances of the Board member's need to attend and participate remotely. The remote Board member need not disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law. The minutes for the Board meeting shall identify the specific provision that is the basis for the just cause. (GC 54953, 54953.8.3)

Additionally, when a remote Board member attends and participates in a Board meeting based on just cause, all of the following conditions shall be met: (GC 54953, 54953.8, 54953.8.3)

1. All votes taken during the meeting are by rollcall

**BYLAWS OF THE BOARD** **BB 9320.1**

**REMOTE MEETINGS AND ATTENDANCE (continued)**

2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board

3. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

   The platform or service may require members of the public to register in order to make public comments as long as the platform or service is not controlled by the district.

4. The agenda for the meeting includes information describing how members of the public can access the platform or service and how members of the public can offer public comment

5. The minutes of the Board meeting state that the remote Board member attended and participated remotely

6. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda and which is within district boundaries and is open to the public

7. The remote Board member utilizes both audio and visual technology to participate in the meeting

8. The remote Board member publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual

In this circumstance, the agenda need not include the location of the remote Board member or be posted at that location, and the location of the remote Board member need not be open and accessible to the public. (GC 54953, 54953.8)

The Board shall give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. (GC 54953.8)

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the Board meeting may continue but the Board may not take action on any agenda item until public access to the meeting is restored. (GC 54953.8)

A remote Board member may attend and participate in no more than two Board meetings per year for just cause. (GC 54953.8.3)

**BYLAWS OF THE BOARD** **BB 9320.1**

## REMOTE MEETINGS AND ATTENDANCE (continued)

### Remote Board Meetings During a Proclaimed State of Emergency

The Board may conduct a remote Board meeting during a proclaimed state of emergency or local emergency in either of the following circumstances: (GC 54953.8.2)

1. For the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees due to the emergency

2. When the Board, pursuant to Item #1 above, has determined that meeting in person would present imminent risks to the health or safety of attendees due to the emergency

In either such circumstance, the Board may hold a remote Board meeting without: (GC 54953.8, 54953.8.2)

1. Including the location of Board members in the agenda

2. Making the locations of Board members open and accessible to the public

3. Posting the agenda at the locations of Board members

4. Having at least a quorum of the Board members within the district boundaries

When the Board holds such a meeting, all of the following shall be followed: (GC 54953.8, 54953.8.2)

1. All votes taken during the meeting are by rollcall

2. The public is able to access the meeting via a call-in or audiovisual platform or service, with real-time observation of the meeting and public comment being allowed via the platform or service

   The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district.

3. The agenda for the meeting includes information describing how members of the public can access the platform or service

The Board may continue to conduct all Board meetings remotely throughout one or more 45-day periods as long as, prior to the beginning of each 45-day period, the Board has reconsidered the circumstances of the proclaimed state of emergency or local emergency and determined that it continues to directly impact the ability of the Board to meet safely in person. (GC 54953.8.2)

Date Adopted: May 27, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9321**

## CLOSED SESSION

The Governing Board is committed to complying with state open meeting laws and modeling transparency in its conduct of district business. The Board shall hold a closed session during a regular, special, or emergency meeting only for purposes authorized by law.

Each agenda shall contain a general description of each closed session item to be discussed at the meeting as required by law. (EC 35145, GC 54954.2, 54954.5, 54957)

In the open session preceding the closed session, the Board shall disclose the items to be discussed in closed session as specified in this bylaw. The Board may either state the information on the agenda or refer the public to the item(s) as listed by number or letter on the agenda. In the closed session, the Board may consider only those items covered in its statement. (GC 54957, 54957.7)

After the closed session, the Board shall reconvene in open session before adjourning the meeting and, when applicable, shall publicly disclose any actions taken in the closed session, the votes or abstentions thereon, and other disclosures as specified in this bylaw. Such reports may be made in writing or orally at the location announced in the agenda for the closed session as required by law. (EC 32281; GC 54957.1, 54957.7)

When an action taken during a closed session involves final approval or adoption of a document, such as a contract or settlement agreement, that becomes public upon such approval or adoption, the Superintendent or designee shall provide a copy of the document to any person present at the conclusion of the closed session who submitted a written request. If the action taken results in one or more substantive amendments, the Superintendent or designee shall make the document available the next business day or when the necessary changes to the document are completed. Whenever copies of an approved agreement will not be immediately released due to an amendment, the Board president shall orally summarize the substance of the amendment for those present at the end of the closed session. (GC 54957.1)

### Confidentiality

A Board member shall not disclose confidential information received in closed session unless the Board authorizes the disclosure of that information or the information has been publicly reported by the District. (GC 54963)

The Board shall not disclose any information that is protected by state or federal law. In addition, no victim or alleged victim of tortious sexual conduct or child abuse shall be identified in any Board agenda, notice, announcement, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (GC 54957.7, 54961)

### Personnel Matters: Appointment, Employment, Performance Evaluation, or Discipline/Dismissal/Release

**BYLAWS OF THE BOARD** **BB 9321**

**CLOSED SESSION (continued)**

The Board may hold a closed session under the "personnel exception" to consider the appointment, employment, performance evaluation, discipline, dismissal, or change in employment status of an employee. Such a closed session shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline. (GC 54957, 54957.1)

**Personnel Matters: Specific Complaints or Charges**

The Board may hold a closed session to hear complaints or charges brought against an employee, unless the employee who is the subject of the complaint requests an open session. Before the Board holds a closed session on specific complaints or charges brought against an employee, the Superintendent or designee shall ensure that the employee receives written notice of the right to have the complaints or charges heard in open session. This notice shall be delivered personally or by mail at least 24 hours before the time of the closed session. (GC 54957)

**Personnel Matters: Application for Early Withdraw of Funds in Deferred Compensation Plan**

The Board may hold a closed session to discuss an employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan. (GC 54957.10)

**Negotiations/Collective Bargaining**

The Board may meet in closed session to review the Board's position and/or instruct its designated representative(s) regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation. A closed session regarding salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussions of the district's available funds and funding priorities, but only insofar as they relate to providing instructions to the Board's designated representative. Final action on the proposed compensation of one or more unrepresented employees shall not be taken in closed session. (GC 54957.6)

The Board also may meet in closed session with a state conciliator who has intervened in proceedings regarding any of the purposes enumerated in Government Code 54957.6.

Pursuant to Government Code 54957.1, approval in closed session of an agreement regarding labor negotiations with represented employees pursuant to Government Code 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. However, the Board may, at its sole discretion, vote on such an agreement is open session. (GC 54957.1)

Pursuant to Government Code 3549.1, the Board may, without following the requirements of the

**BYLAWS OF THE BOARD** **BB 9321**

**CLOSED SESSION (continued)**

Brown Act, meet in closed session exclusively for the purpose of discussing its position regarding any matter within the scope of representation or for the purpose of instructing its designated representatives. The Board shall not discuss any other item at any such closed session. (GC 3549.1)

**Matters Related to Students**

If a public hearing would lead to the disclosure of confidential student information such as grades or discipline information, the Board shall meet in closed session to consider a suspension, disciplinary action, any other action against a student except expulsion, or a challenge to a student record. At least 72 hours prior to the start of the meeting of which the closed session is a part, the Superintendent or designee, on behalf of the Board, shall, in writing, by registered or certified mail or by personal service, notify the student and the student's parent/guardian of the intent of the Board to hear the item in closed session. If a written request for open session is received from the student or the student's parents/guardians within 48 hours of receiving the notice, the meeting shall be public, except that any discussion at that meeting which may be in conflict with the right to privacy of any other student shall remain in closed session. (EC 35146, 48912, 49070)

If the Board conducts an expulsion hearing pursuant to Board Policy 5144.1 - Suspension and Expulsion/Due Process, the Board shall do so in closed session unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the Board shall meet in closed session for the purpose of deliberating and determining whether the student should be expelled. (EC 48918)

In order to protect student privacy rights provided in 20 USC 1232g or other applicable laws, the identity of a student shall not be listed in the agenda and, unless the item is heard in open session, shall not be included in any report after closed session. Additionally, a student matter shall be listed in the open session portion of the agenda with the same description and numbering system as it was on the closed session portion of the agenda.

**Security Matters**

The Board may meet in closed session with the Governor, Attorney General, District Attorney, district legal counsel, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings; to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service; or to the public's right of access to public services or public facilities. Such discussions may be held in closed session during an emergency meeting called pursuant to Board Bylaw 9320 - Meetings and Notices and Board Bylaw/Exhibit (1) 9323.2 - Actions By The Board.

The Board may also meet in closed session to consult with law enforcement officials on the development of a plan for tactical responses to criminal incidents and to approve the plan. (EC 32281)

**BYLAWS OF THE BOARD** **BB 9321**

**CLOSED SESSION (continued)**

**Real Property Negotiations**

The Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the district in order to grant its negotiator authority regarding the price and terms of payment for the property. (GC 54956.8)

**Anticipated Litigation/Initiation of Litigation**

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or receive advice from its legal counsel regarding anticipated litigation or whether to initiate litigation when discussion of either matter in open session would prejudice the district's position with respect to such litigation. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (GC 54956.9)

Litigation is considered to be "anticipated" when, in the Board's opinion based on the advice of its legal counsel regarding the existing facts and circumstances, there is a significant exposure to litigation against the district or against a district officer or employee based on prior or prospective activities or alleged activities during and potentially during the course and scope of that office or employment. (GC 54956.9)

Existing facts and circumstances are limited to the following: (GC 54956.9)

1. Facts and circumstances that might result in litigation against the district but which the district believes are not yet known to potential plaintiff(s)

2. Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence which might result in litigation against the district, which are already known to potential plaintiff(s)

3. The receipt of a claim pursuant to the Government Claims Act or a written threat of litigation from a potential plaintiff

4. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the Board

5. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the Board, provided that the district official or employee receiving knowledge of the threat made a record of the statement before the meeting

Each agenda item related to anticipated litigation shall only contain one such matter. For an anticipated litigation item that is anticipated based on Items #2, #3, or #5 above, the agenda item shall

also include the facts or circumstances that might result in litigation, the claim or written threat of litigation, or the record of the threat. However, the agenda item shall not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on the alleged victim's behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed. (GC 54956.9)

### Existing Litigation

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or receive advice from its legal counsel regarding existing litigation when discussion of the matter in open session would prejudice the district's position with respect to such litigation. Litigation is considered to be "existing" when the district has been named a party to the litigation or a district officer or employee has been named a party to the litigation based on prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which involves whether an activity is outside the course and scope of the office or employment. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (GC 54956.9)

### Tort, Public, or Workers' Compensation Liability

The Board may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the district is a member. (GC 54956.95)

### Joint Powers Agency Issues

When the board of the JPA has so authorized and upon advice of district legal counsel, the Board may meet in closed session in order to receive, discuss, and take action concerning information that has direct financial or liability implications for the district and that was obtained in a closed session of a JPA of which the district is a member. During the Board's closed session, a Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to fellow Board members. (GC 54956.96))

### Review of Audit Report from California State Auditor's Office

Upon receipt of a confidential final draft audit report from the California State Auditor's Office and before the report has been made public, the Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any Board meeting to discuss the report shall be conducted in open session, unless exempted from that requirement by some other provision of law. (GC 54956.75)

**BYLAWS OF THE BOARD** **BB 9321**

**CLOSED SESSION (continued)**

**Review of Assessment Instruments**

The Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (EC 60617)

Date Adopted: August 2, 2000
Date Revised: September 8, 2008, October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9322**

## AGENDA/MEETING MATERIALS

### Agenda Content

Governing Board meeting agendas shall reflect the district's vision and goals and the Board's focus on student learning and well-being

Each agenda shall state the meeting time and location(s) and shall briefly describe each item listed in the agenda, including items to be discussed in closed session in accordance with Board Bylaw 9321 - Closed Session. (GC 54954.2)

### Public Comment

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item, including items to be considered in closed session in accordance with Board Bylaw 9321 - Closed Session and items listed on the consent agenda. (EC 35145.5; GC 54954.3)

Before any other open session agenda item, there shall be one public comment item on every meeting agenda to give members of the public the opportunity to address the Board on any item on the open session agenda. The public comment period shall last no longer than 20 minutes unless extended in accordance with Board Bylaw 9323 - Meeting Conduct. No member of the public may be permitted to speak more than once during this item and will be limited to 3 minutes.

The agenda need not provide an opportunity for public comment on an item that has previously been considered at an open meeting by a committee comprised exclusively of Board members, provided that all of the following conditions were met: (GC 54954.3)

1. members of the public were afforded an opportunity to comment on the item, before or during the committee's consideration of the item, the item has not been substantially changed since the committee considered it

2. A quorum of the committee attended and participated in the committee meeting at which the item was considered from a singular physical location that was clearly identified on the agenda, open to the public, and situated within the boundaries of the district

3. Any other applicable provisions of Government Code 54954.3

Additionally, the agenda for a regular meeting shall provide members of the public with an opportunity to address the Board regarding matters within the subject matter jurisdiction of the Board which are not on the agenda. (Education Code 35145.5; Government Code. (GC 54954.3)

The notice and agenda shall include information describing how members of the public can access the platform or service and how members of the public can offer public comment if required pursuant to Board Bylaw 9320.1 - Remote Meetings and Attendance.

**BYLAWS OF THE BOARD** **BB 9322**

**AGENDA/MEETING MATERIALS (continued)**

### Disability-Related Accommodations or Modifications

The agenda shall include information regarding how, when, and to whom a request for disability-related accommodations or modifications, including auxiliary aids and services, may be made by an individual who requires accommodations or modifications in order to participate in the meeting, as well as the procedure for receiving and resolving such requests as required by law. (GC 54954.2)

Each agenda for a regular meeting shall list the address designated by the Superintendent or designee for public inspection of documents related to an open session item, or for records of a statement threatening litigation against the district to be discussed in closed session, when such documents have been distributed to the Board less than 72 hours before the meeting. (GC 54956.9, 54957.5)

Each agenda shall include a statement regarding the option for students and parents/guardians to request that directory information or personal information of the student or parent/guardian, as defined in Education Code 49061 and/or 49073.2, be excluded from the minutes. Additionally, the agenda shall state that the request must be made in writing to the secretary or clerk of the Board. (EC 49073.2)

### Agenda Preparation

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each meeting, including whether an item requires Board action and whether an item shall be considered in open or closed session.

The Board president and Superintendent shall decide whether such a request is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board shall not be placed on the agenda. Additionally, if the Board president and Superintendent determine that the request is merely a request for information, then the request shall not be placed on the agenda.

A Board member may request in writing, at a meeting as part of a related open session item, or at a meeting as part of an open session item intended for this purpose that a specific matter within the subject matter jurisdiction of the Board be placed on an upcoming Board agenda. Within thirty (30) days of receiving the request, the Board member shall be informed by the Board president if the request has been approved or denied by the Board president and Superintendent.

If the request is approved, the Board president and Superintendent shall inform the Board member of the general timeframe that the matter will be placed on an agenda, on which part of the agenda the item will appear, and whether the item requires action by the Board. If the request is denied, the Board president and Superintendent fail to provide a response to the request, or the requesting Board member disagrees with the timeframe that the matter will be placed on an agenda, on which part of the agenda the item will appear, or whether the item requires action by the Board, then the Board member may appeal the response to the request to the Board. The Board president and Superintendent shall place the appeal on the next upcoming regular meeting agenda for Board action,

**BYLAWS OF THE BOARD** **BB 9322**

**AGENDA/MEETING MATERIALS (continued)**

but only as to whether, when, and how to agendize the requested matter. If a majority of the Board agrees with the appeal, the item will be considered in accordance with the decision of the majority of the Board.

In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda, except as required by law. Consent items shall be items of a routine nature for which Board discussion is not anticipated and for which the Superintendent recommends approval.

### Agenda Dissemination to Board Members

At least 72 hours before each regular meeting, each Board member shall be provided a copy of the agenda and all related materials such as the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, and others; and other available supporting documents pertinent to the meeting. Additionally, the Superintendent or designee may distribute to the Board additional materials related to agenda items less than 72 hours before each regular meeting, as permitted by law.

When a special meeting is called, Board members shall receive the agenda and all related materials, at least 24 hours prior to the meeting. (GC 54956)

Board members shall review the agenda and all related materials before each regular or special meeting. Individual Board members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means, discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.

### Regular Meeting Agenda Dissemination to Members of the Public

The Agenda and all related materials distributed to the Board related to a regular meeting shall be made available to the public upon request without delay. However, only those documents which are disclosable public records under the California Public Records Act (CPRA) and which relate to an agenda item scheduled for the open session portion of a regular meeting or which contain a claim or written threat of litigation which will be discussed in closed session shall be made available to the public. (GC 54956.9, 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (GC 54954.2)

Additionally, the Superintendent or designee shall post the agenda on the homepage of the district website. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the district's agenda management platform in accordance with Government Code 54954.2. When the district utilizes an integrated agenda management platform, the link to that platform shall take the

**BYLAWS OF THE BOARD** **BB 9322**

**AGENDA/MEETING MATERIALS (continued)**

user directly to the website with the district's agendas, and the current agenda shall be the first available. (GC 54954.2)

If a writing which relates to an open session agenda item or which contains a claim or written threat of litigation which will be discussed in closed session during a regular meeting is distributed to the Board less than 72 hours prior to the meeting, the Superintendent or designee shall make the writing available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board. However, if the writing is distributed to at least a majority of the Board at a time when the designated location is closed to the public, this requirement may be satisfied by posting the writing on the district website if the following conditions are met: (GC 54957.5)

1. An initial staff report or similar document containing an executive summary and any staff recommendations related to the agenda item is made available for public inspection at the designated location at least 72 hours before the meeting
2. The writing is immediately posted on the district's website in a position and manner that makes it clear that the writing relates to an agenda item for the upcoming meeting

3. The district lists the website address where such writings may be accessed on all Board meeting agendas

4. A physical copy of the document is made available for public inspection at the designated location at the beginning of the next regular business hours, but not less than 24 hours before the meeting

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (GC 54954.1)

The Superintendent or designee shall email a copy of, or a website link to, the agenda or a copy of all the documents constituting the agenda packet to any person who requests such items to be delivered by email. If the Superintendent or designee determines that it is technologically infeasible to do so, a copy of the agenda or a website link to the agenda and a copy of all other documents constituting the agenda packet shall be sent to the person who has made the request in accordance with mailing requirements specified in law. (GC 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (GC 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9322**

**AGENDA/MEETING MATERIALS (continued)**

Any document prepared by the district or Board and distributed during an open meeting shall be made available for public inspection at the meeting. Any document prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the CPRA. (GC 54957.5)

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (GC 54954.1)

The requirements for the dissemination of regular meeting agendas and related materials and writings to members of the public found in "Regular Meeting Agenda Dissemination to Members of the Public" shall be applicable to the dissemination of special meeting agendas and related materials and writings to members of the public except that the 24-hour requirement shall apply rather than the 72-hour requirement.

Date Adopted: September 6, 2000
Date Revised: September 3, 2008, October 8, 2025, May 27, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9323**

## MEETING CONDUCT

### Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

The Board chair, who is either the Board president or the Board member chairing the meeting at the time if the Board president is absent, shall conduct Board meetings in accordance with Robert's Rules of Order to enable the Board to efficiently consider issues and carry out the will of the majority.

The Board believes that late night meetings can deter public participation, affect the Board's decision-making ability, and be a burden to staff. Regular Board meetings shall be adjourned by 9:00 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and, if necessary, may subsequently be adjourned to a later date.

When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a separate agenda item. The Board chair shall determine where on the agenda the former consent item is placed.

### Quorum and Abstentions

Except as required by law, the Board shall act by majority vote of all of the membership constituting the Board. (EC 35164)

Except when prohibited by law, the Board expects its members to vote on all issues before them. When a member abstains, the abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

### Public Participation

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, members of the public attending a Board meeting shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting, except if a member of the public desires to observe the meeting or make public comment through the use of a third party website or online platform as required by the third party provider.

To facilitate public comment, the Board may request that members of the public who wish to give public comment provide their names or other identifying information to determine speaking order.

In order to conduct district business in an orderly and efficient manner, public comment shall occur in accordance with Board Bylaw 9322-Agenda Meeting/Materials and in compliance with the following

**BYLAWS OF THE BOARD** **BB 9323**

**MEETING CONDUCT (continued)**

procedures:

1. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (EC 35145.5; GC 54954.2)

2. Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. (GC 54954.2)

   Additionally, on their own initiative or in response to questions posed by the public, Board members or staff members may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (GC 54954.2)

   In addition, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (GC 54954.2)

3. A member of the public wishing to be heard by the Board shall first be recognized by the Board chair.

   An individual speaker shall be allowed a maximum of three minutes to address the Board. However, the Board chair, or a majority of the Board may, adjust the amount of time allowed for public input and/or the time allotted for each speaker. Any such adjustment shall be done equitably so as to allow a diversity of viewpoints. Additionally, the Board chair may ask members of the public with the same viewpoint to select a few individuals to address the Board on behalf of that viewpoint.

   In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (GC 54954.3)

4. An individual speaker may give some or all of the speaker's time to another speaker, provided that no individual speaker is permitted to speak more than the maximum time permitted per individual speaker pursuant to Board Bylaw 9322-Agenda/Meeting Materials

5. For any public comment period with a time limit when a remote Board member is attending and participating based on just cause pursuant to Board Bylaw 9320.1 - Remote Meetings and Attendance, the Board may not close that public comment period or the opportunity to register to provide public comment via the two-way audiovisual platform or two-way audio service until the full time for public comment has elapsed (GC 54953.8)

**BYLAWS OF THE BOARD** **BB 9323**

**MEETING CONDUCT (continued)**

For any other public comment period when a remote Board member is attending and participating based on just cause pursuant to Board Bylaw 9320.1 - Remote Meetings and Attendance, the Board shall allow a reasonable amount of time to permit members of the public to provide public comment and to register to do so via the two-way audiovisual platform or two-way audio service. (GC 54953.8)

6. The Board chair shall determine whether an individual's public comment is within the scope of the public comment period subject to the following conditions:

    a. If the public comment is within the scope of a different public comment period, the Board chair shall so indicate

    b. Public criticism of the Board, individual Board members, the district, its policies, procedures, programs, services, acts, or omissions shall not be prohibited. (GC 54954.3)

    c. Public criticism of district employees shall not be prohibited. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board chair shall inform the complainant of the appropriate complaint procedure.

**Disruptions**

The Board chair shall not permit an individual to actually disrupt a Board meeting. Actual disruption by an individual or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the Board chair to terminate the privilege of addressing the Board for that meeting and remove the individual from the meeting. (GC 54957.95)

Prior to removal, the individual shall be warned that the individual's behavior is disrupting the meeting and that failure to cease the disruptive behavior may result in removal. If, after being warned, the individual does not promptly cease the disruptive behavior, the Board chair, or designee, may then remove the individual from the meeting. (GC 54957.95)

When an individual's behavior constitutes the use of force or a true threat of force, the individual shall be removed from a Board meeting without a warning. (GC 54957.95)

*Disrupting* means engaging in behavior during a Board meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law, or engaging in behavior that constitutes use of force or a true threat of force. (GC 54957.95)

**BYLAWS OF THE BOARD** **BB 9323**

**MEETING CONDUCT (continued)**

*True threat of force* means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat. (GC 54957.95)

Additionally, the Board may order the room cleared when a group or groups of persons willfully interrupts so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals, who are willfully interrupting the meeting. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to such a group disturbance, further Board proceedings shall concern only matters appearing on the agenda. (GC 54957.9)

When such group disruptive conduct occurs, the Board may decide to recess the meeting to help restore order, remove the disruptive individual(s), or clear the room. Additionally, the Board may adjourn the meeting to another time and location specified in an order of adjournment. The Board chair may direct the Superintendent or designee to contact local law enforcement as necessary. (GC 54955, 54957.9, 54957.95, 54957.96)

**Recording by the Public**

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (GC 54953.5, 54953.6)

Date Adopted: September 6, 2000
Date Revised: September 3, 2008, October 8, 2025, May 27, 2026

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD BYLAW**

**BYLAWS OF THE BOARD** **BB 9324**

## MINUTES AND RECORDINGS

The Governing Board recognizes that maintaining accurate minutes of Board meetings helps foster public trust in Board governance and provides a record of Board actions for use by district staff and the public.

The secretary of the Board shall keep minutes and record all official Board actions. The Board's minutes shall be public records and shall be made available to the public upon request. (EC 35145, 35163)

The minutes of Board meetings shall include, but not be limited to:

1. A notation of which Board members are present, in person or by teleconference, and whether a member is not present for part of the meeting due to late arrival and/or early departure

2. Call to order of the Pledge of Allegiance to the flag of the United States of America.

3. A brief summary of the Board's discussion on each agenda topic, rather than a verbatim record of each Board member's specific points of view during the discussion

4. A summary of the public comments made on agendized items and unagendized topics

5. The specific language of each motion and the names of the Board members who made and seconded the motion

6. Any action taken by the Board, and the vote or abstention on that action of each Board member present (EC 35145; Government Code 54953)

Upon request by a student's parent/guardian, or by the student if age 18 or older, the minutes shall not include the student's or parent/guardian's address, telephone number, date of birth, or email address, or the student's name or other directory information as defined in Education Code 49061. The request to exclude such information shall be made in writing to the secretary or clerk of the Board. (EC 49073.2)

The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. The Board shall approve the minutes as circulated or with necessary amendments.

Upon approval by the Board, the minutes shall be signed by the board clerk.

Official Board minutes and recordings shall be stored in a secure location and shall be retained in

**BYLAWS OF THE BOARD** **BB 9324**

**MINUTES AND RECORDINGS (continued)**

accordance with law.

Any minutes or recordings kept for Board meetings held in closed session shall be kept separately from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records. (GC 54957.2)

Date Adopted: August 2, 2000
Date Revised: September 3, 2008, October 8, 2025

**ENTERPRISE ELEMENTARY SCHOOL DISTRICT**
**BOARD POLICY**

**BYLAWS OF THE BOARD** **BP 9328**

## BOARD SELF-EVALUATION

Effective and efficient Board operations are an integral part of creating a successful educational program. In order to measure progress towards its stated goals and objectives, the Board will schedule a time and place at which all its members may participate in a formal self-evaluation.

The Board shall be evaluated as a whole and not as individuals. The evaluation will focus on the internal operations and performance of the Board. The Board members shall develop goals and objectives against which the Board will be evaluated. A self-evaluation instrument will be based on these goals and objectives and not on goals set for the District.

Each Board member will complete a self-evaluation instrument independently. The ensuing evaluation will be based on the resulting composite picture of Board strengths and weaknesses. The Board will discuss the tabulated results as a group.

The evaluation process should include the establishment of strategies for improving Board performance. Revised priorities and new goals will be set for the following year's evaluation.

The Board may invite the Superintendent or others to participate in the evaluation and suggest specific criteria to measure Board success as a governing body.

Date Adopted: May 31, 2000
Date Revised: September 3, 2008