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GOVERNANCE

Series 0000

Policies contained in the governance series are overriding in nature with implications for other series. Examples include policy-making, goal-setting and exercise of authority.

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Governance

Beliefs and Roles

The Colusa County Board of Education beliefs are that:

- education is vitally important for our society;
- the commitment of resources to education is an investment in the future;
- public education is responsible for providing the opportunity for all students to learn;
- equity and excellence in education play critical roles in the development of democratic values and individual liberty;
- competent, visionary leadership is essential to the educational system;
- effective leadership creates and initiates change for improved education and increased student learning;
- high quality, client-oriented, cost-effective, and community driven services are essential to the County Office’s continuing strength.

The Colusa County Board of Education, hereinafter referred to as the County Board, works collaboratively to fulfill these obligations to the public. The role of the Colusa County Superintendent of Schools, hereinafter referred to as the County Superintendent, is to meet the requirements prescribed by law and to administer the Colusa County Office of Education, hereinafter referred to as the County Office. The County Board’s goal in developing and adopting policy is to provide quality programs and services that assure that the State’s emphasis of “one education for all” is available to students of Colusa County.

The role of County Office administrators and staff is to ensure the on-going success of public education by supporting the partnership of parents, students, community members and professional educators. Success depends upon the ability of administrators and staff to adapt to the changing needs of the students and the communities of Colusa County.

Definitions

California Department of Education (CDE) – The governmental agency administered by the State Board of Education and the elected Superintendent of Public Instruction.

Class – An organized group of pupils within a school who are pursuing a particular course, subject or activity.

Client – Students, parents, and districts in Colusa County.

Common State Curriculum – The basic curriculum which is prescribed by the proper authority for all elementary schools, or all secondary schools, or all elementary and secondary schools.

Curriculum – The courses of study, subject classes and organized group activities provided by a school.

Educational Program – The entire school-sponsored offering for pupils in County Office programs, including in-class and out-of-class activities.

Goal – A statement of broad direction or intent which is general and timeless and not necessarily measurable or observable.

Mission – The chief function and responsibility of the County Office.

Objective – A specific accomplishment to be reached that can be verified within a given time and under specifiable conditions which, if attained, advances the County Office toward a related goal.

Philosophy – A composite statement of the relationship between the individual and public based upon beliefs, concepts and attitudes from which the goals and objectives of the County Office are derived.

State Board of Education (SBE) – A state governmental body consisting of ten (10) members who are appointed by the Governor, with the advice and consent of two-thirds of the Senate.

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: February 8, 2006
Reviewed: May 8, 2013
Revised: May 13, 2015

Philosophy

It is the philosophy of the County Board that the County Office shall assist the State Board of Education and the California Department of Education in the performance of their duties and serve schools in a cooperative effort to promote equal educational opportunity. That assistance is also extended to support the County Superintendent in the role s/he plays within the county.

Better education for all will provide hope for a peaceful world and help meet the challenges of a changing and more complicated life. This can only be accomplished when every child, regardless of where s/he lives, has the benefits of an adequate and comprehensive program of educational services.

To that end, the administration and staff of the County Office and of the regional programs administered by the County Superintendent shall endeavor to provide educational leadership, curriculum development, staff development, supplementary service, and coordination in developing consortia, inter-agency collaboration and consultation which is responsive to school districts, other agencies, organizations and the community.

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: February 8, 2006
Revised: May 13, 2015

Mission of the County Office

The Colusa County Office of Education (CCOE) is an advocate for all Colusa County residents to become socially responsible citizens. We are dedicated to

- Communicate effectively,
- Collaborate cooperatively,
- Cooperate efficiently, and
- Educate totally.

Legal References:

Education Code, 1240-1278, 51000-51050

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: February 8, 2006
Revised: June 12, 2013
Revised: October 14, 2015

Goals of the County Office

The County Board believes that goals provide critical direction in accomplishing the mission of the County Office. Goals develop naturally from legal mandates, community needs, district and department priorities, and the County Board's vision for the County Office programs and services. The County Office has established goals in the following areas:

Fiscal: *CCOE shall operate on a sound fiscal basis, proceeding in a prudent, conservative manner.*

- Maintain the reserve for economic uncertainties at 5% of budgeted expenditures in the County School Service Fund.
- Maintain an Economic Uncertainties and Facility Acquisition Fund.
- Continue to promote good practices in human resources and finance.
- Support and implement increased technology for processing of fiscal responsibilities and services in all departments.
- Expand partnerships with districts and agencies to maximize the services provided by existing resources.
- Support all CCOE programs in their efforts to develop new funding.

Evaluation: *CCOE shall operate services that are needed and are cost effective.*

- Review services provided to districts, agencies and individual children, youth and adults based on a variety of assessment strategies.
- Review cost effectiveness of each program.
- Develop goals for each CCOE department.
- Evaluate outcomes and successful practices.
- Review annual evaluation with Board of Education.

Communication: *CCOE shall communicate with all segments of the public to provide information about programs and services and to use feedback from the public for program improvement.*

- Increase goodwill and harmony with all county office employees.
- Reinforce and improve collaboration between CCOE departments and districts.
- Expand strategic interagency partnerships.
- Expand CCOE staff participation in strategic planning to broaden perspectives on needs and services.
- Continue to promote CCOE department level awareness of federal, state and local political and legislative changes.
- Continue to incorporate district and community participation in education news collection and distribution activities.
- Support countywide celebration and recognition of student academic achievement.
- Continue to develop and implement a state-of-the art technology information system to support the goals of CCOE.

Education: *CCOE shall promote quality education for all children and adults.*

- Plan and provide professional growth activities, including cultural diversity in education, for all staff to continuously improve their services to program participants.
- Foster respect, positive relationships, and physical and mental wellness for all staff and students.
- Develop teacher knowledge and strategies in the use of instructional technology to expand student achievement and learning.
- Plan and provide parent education in the use of technology to access information and resources.
- Provide leadership in implementing strategies for safe schools.
- Review and practice countywide emergency procedures in collaboration with each district's emergency procedures.

Resource Development: *CCOE shall develop new funding sources.*

- Develop new funding to provide services for unmet needs in department programs.
- Develop new funding to support student learning and academic achievement throughout the county.
- Develop funding to provide alternative educational programs that expand student opportunities for successful learning.
- Develop new funding to support adult literacy and learning.
- Develop new funding to complete connectivity at all sites and to expand technology support throughout the county.

Legal References:

Education Code, 1240-1278

Adopted: October 4, 1994

Revised: January 13, 1999, September 6, 2006, June 12, 2013, July 12, 2017

Annual Goals and Objectives

The County Board, County Superintendent and Assistant Superintendents are responsible for goal implementation and development. Yearly goals shall be developed cooperatively so that they interrelate department and unit plans, program and project objectives, and budgetary considerations.

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: February 8, 2006
Reviewed: May 8, 2013

Comprehensive Plans

The Superintendent shall be responsible for the development of plans for research, evaluation and long-term planning to guide the Governing Board in policy development. It is the policy of the Board that proper planning and policy development be an important part of county office administration.

The County Board refers to the Superintendent's Policies and Operating Procedures for Non-discrimination in Programs and Services (SP 0410.00), Equal Employment Action Plan (SP 0411.00), Sexual Harassment (SP 0412.00), Americans with Disabilities Act (SP 0413.00), Freedom of Information (SP 0414.00), Copyrighted Materials and Software (SP 0416.00), Comprehensive Local Plan for Special Education (SP 0430.00), Safety and Health (SP 0440.00), Tobacco Free Schools and Work Place (SP 0441.00), Drug-and Alcohol-Free Environment (SP 0442.00).

Legal References:

Education Code, 1240, 1243, 1245

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: February 8, 2006
Revised: June 12, 2013

Charter Schools

The County Board accepts responsibility for protecting the interests of the public when granting or denying charter petitions. The Board desires to support innovations which improve student learning and views charter schools as an opportunity to implement school-level reform. The county administration shall work cooperatively with parents/guardians, students, teachers and principals in their efforts to design new schools and alternatives to the existing state laws and regulations that govern public schools.

By law, petitioners are responsible for developing the charter that will govern the charter school. Unlike other alternative education programs which are under the direct control of the county, charter schools shall be governed at the school in accordance with charter provisions approved by the Board. In granting charter petitions, the Board shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students.

The Board shall give appropriate consideration to charter school petitions in light of the effects on the county's children and the proposed school's ability to function effectively and meet its goals. In accordance with law, the proposed charter must include descriptions of the vision, mission and goal of the charter school, the governance structure which will be used, the educational outcomes to be attained by students and the method by which progress in meeting these outcomes will be measured.

All charters approved by the Board are held accountable for all fiscal duties and responsibilities required by law. The Business Services department of the County Office of Education has oversight responsibility for the fiscal operations of a Board-approved charter school.

The Board shall hold charter schools under its jurisdiction accountable for fulfilling the terms of their charters, and for maintaining fiscally responsible operations. The Board may revoke a charter if deemed necessary.

Legal References:

Education Code, 44237, 47600-47664, 60602.5

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: February 8, 2006
Revised: June 12, 2013

Comprehensive Local Plan for Special Education

The County Board supports the declaration by the California State Legislature that “all individuals with exceptional needs have a right to participate in free appropriate public education and that special education instruction and services for these persons are needed in order to ensure them of the right to an appropriate educational opportunity to meet their unique needs.”

In order to serve children with exceptional needs as completely as possible, the County Office participates as a member of the Colusa County Special Education Local Plan Area (SELPA).

The County Board shall extend the County Office’s full cooperation to the SELPA. The regulations and procedures of the SELPA shall be applied as regulations and procedures of applicable County Office programs.

A copy of the local plan for special education, together with appropriate regulations and procedures, shall be available for inspection at the County Office and at each school site.

cf: SP 0430.00 Comprehensive Local Plan For Special Education
SP 1313.00 Education Programs/Due Process
SP 5111.00 Admission to School
SP 5121.00 Grades, Progress Reports and Annual Review
SP 5144.00 Student Discipline
Colusa County Special Education Local Plan

Legal References:

Code of Regulations Title 5, Division 1, Chapter 3
Education Code, 5600 et seq.

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: February 8, 2006
Revised: June 12, 2013

COMMUNITY RELATIONS

Series 1000

The 1000 Series addresses the County Board's external relations with county offices, districts, community members, and public and private groups. This series tells how the County Board communicates with its clients and the general public.

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Relations with Other Agencies & Organizations

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County Board of Education	BP 1420.00
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Relations Between Private Industry and the Schools	BP 1700.00

Community Relations Beliefs and Characteristics

The County Board is committed to providing educational programs and services which meet state mandates and reflect the needs of local school districts, the community and the region. That commitment includes the responsibility for keeping the community and the public fully informed of developments within the County Office.

The success of community relations is measured by the extent to which people understand County Office goals and accomplishments. Community relations is a function that evaluates public attitudes, shapes the policies of the organization in the public interest and produces a program of action to earn public understanding and respect.

The characteristics of an effective community relations program are:

- **Careful Planning and Organization** – Each program, each department and the County Office as a whole should contribute to community relations.
- **Provision for Continuous Information** – On-going communication is necessary to ensure that information is accessible to the public.
- **Two-way Communication** – Anticipating the expectations of the public and providing information in a timely and understandable manner is a priority.
- **Development of an Overall Strategy** – It is not just what is said and done, but how things are handled that leaves an impression about the character and competence of the County Office.
- **Internal and External Involvement** – Sound community relations works from the inside out; staff must be informed and involved in the decisions that affect them.
- **Recognition of Its Importance to Management Issues** – Community relations helps managers know when to modify programs and services, keeps them close to the clients they serve and enables them to spot emerging issues early to avoid or minimize problems.
- **Personal Communication** – Non-verbal signals as well as how staff speak and dress, treat others, function in a meeting, handle news media, conduct interviews and hold day-to-day conversations have the effect of representing the County Office.

Definitions

Advisory Group – A body of people who have the expertise and experience to provide guidance on a particular issue, program or area of operation.

Gift – An asset which is voluntarily transferred by one person/group to another without compensation.

Instructional Materials – Any supplies and equipment used for teaching and learning purposes.

Mass Mailing – Over two hundred substantially similar pieces of mail, not including form letters or other mail, sent in response to an unsolicited letter of request or inquiry.

Public Records – Those documents which are mandated by law to be available for review by the general public.

Volunteer – One who renders a service or takes part in an activity without monetary compensation or other benefits except protection against financial loss as a result of industrial injury by Workers' Compensation Insurance coverage.

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: March 8, 2006
Reviewed: June 12, 2013

Youth Services

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

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

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

The County Office staff shall report on efforts with public and private agencies to promote community collaboration and youth services.

- cf 1400.00 - Relations between Other Governmental Agencies and the Schools
- 5141.40 - Child Abuse Reporting Procedures
- 5141.41 - Child Abuse Prevention
- 5148.00 - Child Care
- 6020.00 - Parent Involvement

Legal Reference:

Welfare and Institutions Code

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

18986.2-18986.30 Interagency Children's Services Act, especially:

18986.11-18986.15 County interagency collaboration

18986.40-18986.46 Integrated children's services programs

Adopted: July 11, 2007

Reviewed: June 12, 2013

Communication with the Public

The County Board appreciates the importance of community involvement and strives to keep the community knowledgeable about developments within the County Office. The County Office shall consistently develop and maintain programs and services that employ the best educational practices and reflect the needs of local school districts and communities served.

An effective public relations program depends upon the efforts of many people – governing board members, teachers, classified employees, parent groups, students and others. These efforts are crucial to gaining and/or maintaining public support.

In ensuring effective communications between the County Office and the community, the County Board refers to County Superintendent Policies: Communication with the Public (SP 1100.00), Media Relations (SP 1110.00), County Office Publications (SP 1111.00), Recognition and Awards (SP 1150.00), and Political Process (SP 1160.00), to promote public relations at the school, district, county and regional levels. Members of the community shall be offered a variety of ways to become involved in County Office programs and to express their interests and concerns. The administration and staff shall use effective means of communication to keep the public informed of the goals, programs, achievements and needs of schools and communities.

Assistant Superintendents shall be responsible for maintaining open and clear channels of communication with clients, the public and the news media.

Mass Mailings

State law prohibits mass mailings and/or distributions at public expense which exalt elected officials. The name, signature or photograph of an elected officer or board member may be included in published materials only as permitted by law.

cf: 1100 Communication with the public
1110 Media Relations
1111 County Office Publications
1340 Access to Public Records
5145 Rights and Responsibilities of Students

Legal References:

Education Code, 35172
Government Code, 82041.5, 18901

Adopted: October 4, 1994
Reviewed: December 15, 1998
Revised: April 5, 2006
Reviewed: June 12, 2013

Participation by the Public

The County Board recognizes that public participation in County Office programs provides citizens with a better understanding of education and encourages their support. The County Board wishes County Office administrators to provide opportunities for the public to participate in educational programs. The public is invited to take advantage of those opportunities to participate. The County Board refers to Superintendent Policies School Community Associations (SP 1210.00), Citizen Advisory Committees (SP 1220.00), Advisory Committees: Regional Occupational Program (SP 1221.00), Volunteer Assistance (SP 1240.00), and Visits to Schools (SP 1250.00).

Legal References:

Education Code, 45258, 88078

Adopted: October 4, 1994

Reviewed: December 15, 1998

Reviewed: March 8, 2006

Reviewed: June 12, 2013

Educational Foundation

Because demands on the educational system exceed available public funding, the County Board recognizes that members of the community are often willing to make voluntary contributions that will provide needed additional funds for the county schools. 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 county and its students.

The Board supports foundation allocations that serve all county school equitably.

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: March 8, 2006
Reviewed: June 12, 2013

Public Activities Involving Staff, Students and Facilities

The County Board recognizes the importance of public interaction with staff and students. Equally important is public access to County Office facilities.

In the interest of maintaining productive environments in classrooms and offices, the County Board refers to County Superintendent Policies to establish guidelines to limit interruptions, which interfere with staff and student performance. These guidelines provide for orderly interaction of the public with staff and students and for use of County Office facilities by the public.

cf: 1250 Visits to Schools and Programs
1320 Solicitation from and by Students
1321 Solicitation from and by Charitable Organizations
1330 Use of Facilities
4350 Soliciting and Selling

Legal References:
Education Code, 51520, 51521

Adopted: October 4, 1994
Reviewed: December 15, 1998
Revised: April 5, 2006
Reviewed: June 12, 2013

Uniform Complaint Procedures (UCP)

This document contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by Colusa County Office of Education of federal or state laws or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees and our Local Control and Accountability Plan (LCAP).

This document presents information about how we process UCP complaints concerning particular programs or activities in which we receive state or federal funding. A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying or charging pupil fees for participation in an educational activity or non-compliance with the requirements of our LCAP. A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees or non-compliance with the requirements of our LCAP. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

Programs and activities that are implemented by our district and subject to the UCP in which we receive state or federal funding are:

- Adult Education
- After School Education and Safety
- Agricultural Vocational Education
- American Indian Education Centers and American Indian Early Childhood Education Program Assessments
- Career Technical Education
- Child Care and Development Programs including state preschool
- Consolidated Categorical Programs
- Discrimination, Harassment, Intimidation, and Bullying
- Foster and Homeless Youth
- Local Control Funding Formula and Local Control Accountability Plans
- Migrant Education
- NCLB Titles I-VII
- Nutrition Services - USDA Civil Rights
- Regional Occupational Centers and Programs
- School Facilities
- Special Education
- Tobacco-Use Prevention Education Program
- Unlawful Pupil Fees

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to our UCP process set forth in this document unless these procedures are made applicable by separate interagency agreements:

1. Allegations of child abuse shall be referred to County Dept. of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
2. Health and safety complaints regarding a Child Development Program shall be referred to Dept. of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
3. Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Dept. of Fair Employment and Housing (DFEH).
4. Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

A pupil fee is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

The LCAP is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF we are required to prepare an LCAP, which describes how we intend to meet annual goals for our pupils, with specific activities to address state and local priorities identified pursuant to Education Code Section 52060(d).

The responsibilities of the CCOE:

We have the primary responsibility to insure compliance with applicable state and federal laws and regulations. We shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations about discrimination, harassment, intimidation, bullying and

noncompliance with laws relating to pupil fees for participation in an educational activity and LCAP and seek to resolve those complaints in accordance with our Uniform Complaint Procedures.

We shall ensure annual dissemination of the written notice of our complaint procedures to students, employees, parents or guardians of its students, school and district advisory committee member, appropriate private school officials or representatives, and other interested parties that includes information regarding unlawful pupil fees and LCAP requirements.

An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision.

Our UCP Annual Notice shall also include information regarding the requirements of Education Code sections 49010 through 49013 relating to pupil fees and information regarding the requirements of Education Code section 52075 relating to the LCAP.

Our UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

The following is responsible for receiving and investigating complaints and ensuring our compliance:

Name or title: _____
Unit or office: _____
Address: _____
Phone: _____ E-mail: _____

The above, responsible for compliance and investigations, is knowledgeable about the laws and programs assigned to investigate.

We will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis or a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance.

An unlawful discrimination, harassment, intimidation and bullying complaint shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the

complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The time for filing a discrimination, harassment, intimidation or bullying complaint may be extended in writing by our district superintendent or his or her designee, upon written request by the complainant setting forth the reasons for the extension. The period for filing a discrimination, harassment, intimidation or bullying complaint may be extended by our superintendent or his or her designee for good cause for a period not to exceed 90 calendar days following the expiration of the six month time period. Our superintendent shall respond immediately upon a receipt of a request for extension.

The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, harassment, intimidation, and bullying or by one who believes an individual or any specific class of individuals has been subjected to discrimination, harassment, intimidation, and bullying prohibited by this part.

We ensure that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, and bullying remain confidential as appropriate.

An investigation of a discrimination, harassment, intimidation, and bullying complaint shall be conducted in a manner that protects confidentiality of the parties and maintains the integrity of the process.

Complainants are advised of the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. Civil law remedies, including, injunctions, restraining orders, or other remedies or orders may also be available at any time.

If we find merit in a pupil fees and/or an LCAP complaint we shall provide a remedy to all affected pupils, parents, and guardians that, in the case of pupil fees, includes reasonable efforts by us to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

We submitted our UCP policies and procedures to our local governing board for approval and adoption (see the top of this document for final adoption date).

Filing a complaint with the CCOE:

Except for Williams complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of pupils or staff, and teacher vacancies or misassignments, and complaints that allege discrimination, harassment, intimidation, and bullying, any individual, public agency or organization may file a written complaint with our district superintendent or his or her designee alleging a matter which, if true, would constitute a violation

by our LEA of federal or state law or regulation governing a program. A pupil fees complaint may be filed with the principal of a school.

A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

We will attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

The investigation shall provide an opportunity for the complainant, or the complainant's representative, or both, to present evidence or information.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by Colusa County Office of Education to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Except for Williams complaints and pupil fees complaints, a UCP complaint will be investigated and a written report (also known as the Decision) issued to the complainant within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

We shall issue a Decision based on the evidence and will contain the following elements:

- (i) the findings of fact based on the evidence gathered,
- (ii) conclusion of law,
- (iii) disposition of the complaint,
- (iv) the rationale for such disposition,
- (v) corrective actions, if any are warranted,
- (vi) notice of the complainant's right to appeal our LEA Decision to the CDE,
and
- (vii) procedures to be followed for initiating an appeal to the CDE.

Nothing in this document shall prohibit anyone involved in the complaint from utilizing alternative methods to resolve the allegations, such as mediation. Nor are we prohibited from resolving complaints prior to the formal filing of a written complaint. Mediation is a problem solving activity whereby a third party assists the parties to the dispute in resolving the complaint.

Copies of these complaint procedures shall be available free of charge.

Federal and State Laws cited:

1. 34 Code of Federal Regulations [CFR] §§ 300.510-511
2. California Code of Regulations [CCR] Title 5 §§ 4600–4687
3. California Code of Regulations [CCR] Title 5 § 4610(b)
4. California Code of Regulations [CCR] Title 5 § 4622
5. California Code of Regulations [CCR] Title 5 §§ 4630–4631
6. California Education Code [EC] §§ 200, 220, 262.3
7. California Education Code [EC] §§ 234 – 234.5
8. California Education Code [EC] § 35186
9. California Education Code [EC] § 48985
10. California Education Code [EC] §§ 49010 - 49013
11. California Education Code [EC] § 52075
12. California Government Code [GC] §§ 11135, 11138
13. California Penal Code (PC) § 422.55

Referring Complaint Issues to Other Appropriate State or Federal Agencies

The following complaints shall be referred to the specified agencies for appropriate resolution and are not subject to the local and State Department of Education (SDE) complaint procedures set forth in this policy unless these procedures are made applicable by separate interagency agreements:

(a) Allegations of child abuse shall be referred to the applicable County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.

(b) Health and safety complaints regarding a Child Development Program shall be referred to Department of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.

(c) Discrimination issues involving Child Nutrition Programs or Title IX of the Educational Amendments of 1972 shall be referred to the U.S. Office of Civil Rights (OCR). Title IX complaints will only be referred to the OCR if there is no state discrimination law or regulation at issue. Unless otherwise negotiated through a memorandum of understanding/agreement, a preliminary inquiry and/or investigation concerning these complaints will be conducted by OCR. The complainant shall be notified by certified mail if his or her complaint is transferred to OCR by the State Superintendent of Public Instruction.

(d) Employment discrimination complaints shall be sent to the State Department of Fair Employment and Housing (DFEH) pursuant to Title 22, CCR, Section 98410. The complainant shall be notified by certified mail of any DFEH transferal.

(e) Allegations of fraud shall be referred to the responsible Department Division Director and the Department's Legal Office.

Compliance Officer

The Board refers to the County Superintendent's Policies to designate the following compliance officer(s) to receive and investigate complaints and ensure County Office compliance with law:

Assistant Superintendent, Administrative Services
146 7th Street, Colusa, CA 95932
(530) 458-0350

Notifications

The Board refers to the County Superintendent's Policies to meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of County Office complaint procedures and information about available appeals, civil law remedies, and conditions under which a complaint may be taken directly to the California Department of Education to students, employees, parents or guardians of its students, school and County Office advisory committees, appropriate private school officials or representatives, and other interested parties. This notification must be (a) in English; (b) in the primary language of the students when 15 percent or more of the students in a school speak that language; or (c) in the mode of communication of the recipient of the notice.

Procedures

The Board refers to the County Superintendent's Policies for procedures to be used to address all complaints which allege that the County Office has violated federal or state laws or regulations governing educational programs. As contained in the Superintendent's Policies, the Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with the Code of Regulations, Title 5, Section 4632.

The county will use its compliant procedures when addressing all complaints regarding actual or perceived age, sex equity, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

Investigations of discrimination complaints shall be conducted in a manner that protects confidentiality of the parties and the facts. (Title 5, Section 4630)

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

Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance with the appropriate compliance officer named above. It is recommended that the complainant use the Colusa County Office of Education Complaint Form (see BOP 1312.3, Exhibit 3). The Board refers to the County Superintendent's Policies to maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, the Board refers to the County Superintendent's Policies to help him/her to file the complaint. (Title 5, Section 4600)

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six (6) months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. (Title 5, Section 4630)

(For good cause, the Superintendent of Public Instruction, at the complainant's written request, may extend the above six [6] month period for up to ninety [90] days.)

Mediation

Within three days of receiving the complaint, the county-appointed compliance officer (per County Superintendent's Policies) may discuss with the complainant the possibility of using mediation. If all parties agree to mediation and to the mediator, the Board refers to the County Superintendent's Policies to make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer (per County Superintendent's Policies) shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem, the compliance officer (Per County Superintendent's Policies) shall proceed with his/her investigation of the complaint.

The use of mediation (per County Superintendent's Policies) shall not extend the county's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Investigation of Complaint

The compliance officer (per County Superintendent's Policies) shall hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally. The complainant and/or his/her representative and the County Office's representatives shall also have an opportunity to present information relevant to the complaint.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint or to otherwise fail or refuse to cooperate in the investigation, or engage in any other obstruction of the investigation may result in the dismissal of the complaint because of lack of evidence to support the allegation.

Refusal by LEA to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation, or engage in any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant..

Parties to the dispute may discuss the complaint and question each other or each other's witnesses. (Title 5, Section 4631)

To ensure that all pertinent facts are made available, the compliance officer and the complainant (per County Superintendent's Policies) may ask other individuals to attend this meeting and provide additional information.

Written Decision

The report of the decision (per County Superintendent's Policies) shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the County Office will arrange a meeting at which a community member will interpret it for the complainant.

Within forty-five (45) days of receiving the complaint, the compliance officer (per County Superintendent's Policies) shall prepare and send to the complainant a written report of the County Office's investigation and decision, including:

1. The findings and disposition of the complaint, including corrective actions, if any.
2. The rationale for the above disposition.
3. Notice of the complainant's right to appeal the decision to the California Department of Education, and procedures to be followed for initiation of such an appeal (see BOP 1312.30, Exhibit 1).

Appeal to the Board

If a complainant is dissatisfied with the compliance officer's decision, he/she may, within five (5) days of receiving the written decision, file his/her complaint in writing with the Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the sixty (60) day time limit within which the complaint must be answered.

The Board may decide not to hear the complaint, in which case the decision of the compliance officer shall be the County Office's final written decision. If the Board hears the complaint, it will be discussed in closed session. The compliance officer

(per County Superintendent's Policies) shall send the Board's decision to the complainant within sixty (60) days of the County Office initially receiving the complaint or within an extended time period that has been specified in a written agreement with the complainant.

Appeals to the California Department of Education

If a complainant is dissatisfied with the County Office's decision, he/she may appeal in writing to the California Department of Education within fifteen (15) days of receiving the County Office's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals.

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the County Office's decision and must include a copy of the locally filed complaint and the County Office's decision. (Title 5, Section 4652)

If dissatisfied with the California Department of Education's resolution of a complaint regarding a Chapter I program, the complainant may request its review by the U.S. Secretary of Education (see BOP 1312.30, Exhibits 1 and 2). (34 Code of Federal Regulations, 200.74)

504 Complaints

For 504 complaints, the County Office may follow the same procedure or as otherwise instructed by the Office of Civil Rights. When the compliance officer is notified by OCR that a complaint has been filed, the County Office of Education will gather all pertinent information within the next (60) calendar days.

FLOW CHART OF UNIFORM COMPLAINT PROCESS

TIMELINES

1. LEA receives a complaint.
 - Within three (3) calendar days, compliance officer may discuss use of mediation; if all parties agree mediation is arranged.
- Within
60 Days
- | | |
|---|--|
| ↓ | ↓ |
| Mediation does not resolve issue or is not used- process continues. | Mediation solves problem; process stops. |
2. LEA initiates an investigation.
 - Within five (5) calendar days of receiving complaint or end of unsuccessful mediation.
 3. Written decision is sent to complainant within forty-five (45) calendar days by certified mail and includes:
 - Findings and Disposition of Complaint (any corrective actions)
 - Rationale for Disposition
 - Right to Appeal to Board and How to Appeal
 4. Appeal Compliance Officer's decision to Board in writing.
 - Within five (5) calendar days of receiving written decision.
 - Board decides:
 - A. NOT to hear appeal - decision stands
 - complainant
 - may appeal to
 - to CDE
 - B. Will hear appeal in closed session responds in writing to complainant.
- 15 Days
5. Appeal to CDE within fifteen (15) calendar days of receiving County Office's decision.
- 60 Days
6. The CDE has sixty (60) calendar days to decide whether to uphold the County Office decision or proceed to a state level investigation. (see CDE procedures)

Title 5, Section 4650. Basis Of Direct State Intervention

(A) The State Superintendent shall directly intervene without waiting for local agency action if one or more of the following conditions exist:

- (1) The complaint includes an allegation, and the Department verifies, that a local educational agency failed to comply with the complaint procedures required by this policy;
- (2) Discrimination is alleged by the complainant and the facts alleged indicate that the complainant will suffer an immediate loss of some benefit such as employment or education if the Department does not intervene. However, nothing in this section gives the Department jurisdiction over employment discrimination claims.
- (3) The complaint relates to agencies other than local educational agencies funded through the Child Development and Child Nutrition Programs;
- (4) The complainant requests anonymity and presents clear and convincing evidence and the Department verifies that he or she would be in danger of retaliation if a complaint were filed locally, or has been retaliated against because of past or present complaints;
- (5) The complainant alleges that the local educational agency failed or refused to implement the final decision resulting from its local investigation or local Mediation Agreement;
- (6) The local agency refuses to respond to the State Superintendent's request for information regarding a complaint;
- (7) The complainant alleges and the Department verifies, or the Department has information that no action has been taken by the local educational agency within sixty (60) calendar days of the date the complaint was filed locally.
- (8) For complaints relating to special education the following shall also be conditions for direct state intervention:
 - (a) The complainant alleges that a public agency, other than a local educational agency, as specified in Government Code Section 7570 et seq., fails or refuses to comply with an applicable law or regulation relating to the provision of free appropriate public education to handicapped individuals;

- (b) The complainant alleges that the local educational agency or public agency fails or refuses to comply with the due process procedures established pursuant to federal and state law and regulation; or has failed or refused to implement a due process hearing order;
 - (c) The complainant alleges facts that indicate that the child or group of children may be in immediate physical danger or that the health, safety or welfare of a child or group of children is threatened;
 - (d) The complainant alleges that a handicapped pupil is not receiving the special education or related services specified in his or her Individualized Educational Program (IEP);
 - (e) The complaint involves a violation of federal law governing special education, 20 U.S.C. Section 1400 et. seq., or its implementing regulations.
- (B) When a complaint is filed directly with the State Department of Education, the complaint shall identify upon which of the above conditions the direct filing to the state is being made.

Adopted: June 30, 1994

Revised: April 10, 2002

Revised: May 10, 2006

Colusa County Office of Education Uniform Complaint Procedures Annual Notice

For Students, Employees, Parents/Guardians, School and District Advisory Committee Members, Private School Officials, and Other Interested Parties

The Colusa County Office of Education has the primary responsibility for compliance with federal and state laws and regulations. We have established Uniform Complaint Procedures (UCP) to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees and the non-compliance of our Local Control and Accountability Plan (LCAP).

We will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in Colusa County Office of Education

- Adult Education
- After School Education and Safety
- Agricultural Vocational Education
- American Indian Education Centers and American Indian Early Childhood Education Program Assessments
- Career Technical Education
- Child Care and Development Programs including state preschool
- Consolidated Categorical Programs
- Discrimination, Harassment, Intimidation, and Bullying
- Foster and Homeless Youth
- Local Control Funding Formula and Local Control Accountability Plans
- Migrant Education
- NCLB Titles I-VII
- Nutrition Services - USDA Civil Rights
- Regional Occupational Centers and Programs
- School Facilities
- Special Education
- Tobacco-Use Prevention Education Program

- Unlawful Pupil Fees

A pupil fees and/or LCAP complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

Complaints other than issues relating to pupil fees must be filed in writing with the following designated to receive complaints:

Name or title: _____
Unit or office: _____
Address: _____
Phone: _____ E-mail address: _____

A pupil fees complaint is filed with the CCOE and/or the principal of a school.

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the superintendent or his or her designee.

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The LEA person responsible for investigating the complaint shall conduct and complete the

investigation in accordance with sections 4680-4687 and in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal our Decision of complaints regarding specific programs, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our Decision.

The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

The complainant is advised of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

A copy of our UCP compliant policies and procedures is available free of charge.

CALIFORNIA DEPARTMENT OF EDUCATION
FLOW CHART OF THE UNIFORM COMPLAINT PROCESS

60 Days

CDE Analyzes LEA Report/Complaint

- Either the complaint is received by the CDE correspondence system and routed to the responsible division director.
- Responsible division director reviews complaint to determine appropriate action.

If the LEA reports conclusions are upheld, **PROCESS STOPS HERE.**

If complainant appeal meets criteria, **PROCEED TO NEXT STEP**

Mediation Process

- CDE staff mediates the complaint.
- CDE and LEA staff develop a possible compliance agreement.
- Complainant reviews agreement.
- CDE management approves management.
- CDE monitors LEA

CDE Investigation and Report (if necessary)

- On-site investigation
- Report produced and signed
- Complainant and LEA notified of investigation results and of right to appeal.

Complaint Findings

- No compliance follow-up is needed.

OR

Non-compliant Findings

- LEA notified of required corrective action
- CDE monitors LEA

If there is no appeal from the complainant or LEA, the **PROCESS STOPS HERE**

35 Days

If complainant or LEA makes an appeal to the Office of the Superintendent of Public Instruction, **PROCEED TO NEXT STEP.**

If the Investigation Report is appealed, then it goes to formal hearing.
(For Intergroup Relations only)

15 Days

The Office of the Superintendent analyzes appeal only

- Complainant and LEA notified of findings.

United States Secretary of Education analyzes appeal for federal programs.

- Complainant and LEA notified of findings.

COLUSA COUNTY OFFICE OF EDUCATION
COMPLAINT FORM

Name of person filing complaint _____

Address _____

Home Phone number _____ Work number _____

Student's name _____

School _____

Describe complaint (include all names, dates, places and occurrences necessary for a complete understanding of the complaint)

Desired outcome:

Signed by Complainant:

_____ Date _____

Signed as received by Superintendent or designee:

_____ Date _____

Williams Uniform Complaint Procedures

Note: 5 CCR 4621 has long required every local education agency to adopt uniform complaint procedures for the resolution of complaints regarding discrimination or failure to comply with state or federal law in certain categorical programs. As added and amended by SB 550 (Ch. 900, Statutes of 2004) and AB 2727 (Ch. 903, Statutes of 2004), Education Code 35186 mandates that all local education agencies establish policies and procedures regarding deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or misassignment. Education Code 35186 requires that the local education agency adopt policies and post notices by January 1, 2005. See the accompanying exhibits for a sample notice and complaint form.

Education Code 35186, as added, requires a local education agency to use the uniform complaint procedures, with modifications, to identify and resolve complaints regarding those issues listed above. However, Education Code 35186 sets forth different timelines for investigation and resolution of complaints than the timelines specified under the long-standing uniform complaint procedures required by 5 CCR 4600-4671. Therefore, the following regulation creates a “supplemental” uniform complaint procedure to investigate complaints filed pursuant to Education Code 35186. It is recommended that districts use this procedure only for those complaints specified in Education Code 35186.

Types of Complaints

The County Office of Education shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186)

1. Instructional materials

- a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
- b. A student does not have access to instructional materials to use at home or after school in order to complete required homework assignments.
- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Note: Education Code 35186, as amended by AB 2727 (Ch. 903, Statutes of 2004), defines vacancy and misassignment, pursuant to Education Code 33126, as specified below.

2. Teacher vacancy or misassignment

- a. A semester begins and a certificated teacher is not assigned to teach the class.

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. (Education Code 33126)

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

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

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

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. (Education Code 35186)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

Note: Education Code 35186, as amended by AB 2727 (Ch. 903, Statutes of 2004), requires that the Williams Uniform Complaint Procedures be used for complaints regarding facilities conditions that pose an emergency or urgent threat. Emergency or urgent threat, as specified below, is defined in Education Code 17592.72, as added by SB 6 (Ch. 899, Statutes of 2004).

3. Facilities

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

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while

at school, including but not limited to gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; or structural damage creating a hazardous or uninhabitable condition. (Education Code 17592.72)

Filing of Complaint

Note: Education Code 35186, as amended by AB 2727 (Ch. 903, Statutes of 2004), requires that complaints be investigated and resolved within the timelines specified below.

A complaint alleging any condition(s) specified above shall be filed with the Assistant Superintendent or designee. The Assistant Superintendent or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee within 10 working days. (Education Code 35186)

The Assistant Superintendent or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186)

Note: As amended by AB 2727 (Ch. 903, Statutes of 2004), Education Code 35186 specifies that if a complainant has indicated on the complaint form that he/she would like a response to the complaint, then the Assistant Superintendent must respond within 45 working days, as specified below.

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to his/her complaint, the Assistant Superintendent or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. At the same time, the Assistant Superintendent or designee shall report the same information to the Superintendent or designee. (Education Code 35186)

If a complainant is not satisfied with the resolution of the complaint, with the exception of teacher vacancy or misassignment, he/she may describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 36186) In the case of a complaint regarding teacher vacancy or misassignment, the complainant may describe the complaint to the County Superintendent.

For complaints concerning a facility condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3 above, a

complainant who is not satisfied with the resolution proffered by the Assistant Superintendent or Superintendent or designee may file an appeal to the Superintendent of Public Instruction. (Education Code 35186)

Complaints and written responses shall be public records. (Education Code 35186)

(cf. 1340 - Access to District Records)

Reports

Note: Education Code 35186, as amended by AB 2727 (Ch. 903, Statutes of 2004), requires the district to report summarized data regarding complaints as detailed below.

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board of Education on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting. (Education Code 35186)

The Superintendent shall report annually on the nature and resolution of all complaints to the Board of Education and the Board of Supervisors.

Forms and Notices

Note: As amended by AB 2727 (Ch. 903, Statutes of 2004), Education Code 35186 requires that the local education agency's complaint form contain the following specified elements. In addition, Education Code 35186 requires that a notice be posted in each classroom of the local education agency, as specified below. See the accompanying exhibits for a sample form and classroom notice.

The Superintendent or designee shall ensure that the County Office's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186)

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

Legal Reference:

EDUCATION CODE

1240 County superintendent of schools, duties

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School Accountability Report Card

35186 Alternative uniform complaint procedure

60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4671 Uniform complaint procedures

Management Resources:

WEB SITES

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

California Department of Education, Williams case:

<http://www.cde.ca.gov/eo/ce/wc/index.asp>

Adopted: January 2005

Revised: April 5, 2006

Williams Uniform Complaint Procedures

Types of Complaints

The County Office shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186)

1. Instructional materials

- a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
- b. A student does not have access to instructional materials to use at home or after school in order to complete required homework assignments.
- 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 sheet from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment

- a. A semester begins and a certificated teacher is not assigned to teach the class.

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. (Education Code 33126)

- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner students in the class.
- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

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. (Education Code 35186)

3. Facilities

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

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including but not limited to gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; or structural damage creating a hazardous or uninhabitable condition. (Education Code 17592.72)

Filing of Complaint

A complaint alleging any condition(s) specified above shall be filed with the Assistant Superintendent or designee. The Assistant Superintendent or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee within 10 working days. (Education Code 35186)

The Assistant Superintendent or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to his/her complaint, the Assistant Superintendent or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. At the same time, the Assistant Superintendent or designee shall report the same information to the Superintendent or designee. (Education Code 35186)

If a complainant is not satisfied with the resolution of the complaint, with the exception of teacher vacancy or misassignment, he/she may describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 36186) In the case of a complaint regarding teacher vacancy or misassignment, the complainant may describe the complaint to the County Superintendent.

For complaints concerning a facility condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3 above, a complainant who is not satisfied with the resolution proffered by the Assistant Superintendent or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the report. (Education Code 35186)

Complaints and written responses shall be public records. (Education Code 35186)

Reports

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting. (Education Code 35186)

Forms and Notices

The Superintendent or designee shall ensure that the complaint form for the County Office contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186)

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

Adopted: January 2005

Revised: April 5, 2006

Colusa County Office of Education
Williams Complaint Classroom Notice

Notice to Parents, Guardians, Pupils, and Teachers

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

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

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

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

4. A complaint form may be obtained at the school office, district office, or downloaded from the school's Web site at www.ccoe.net You may also download a copy of the California Department of Education complaint form from the following Web site: <http://www.cde.ca.gov/re/cp/uc>.

Colusa County Office of Education

Williams Complaint Form

Education Code (EC) 35186 created 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, and teacher vacancy or misassignment. The complaint and response are public documents as provided by statute. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the following contact information.

Response requested? Yes No

Name (Optional): _____

Address (Optional): _____

Phone Number Day (Optional): _____ Evening (Optional): _____

Issue of complaint (please check all that apply):

Textbooks and Instructional Materials

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

A pupil 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 pupil.

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

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

Facility Conditions

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

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

The school has not kept all restrooms open during school hours when pupils are not in classes, and has not kept a sufficient number of restrooms open during school hours when pupils are in classes.

Teacher Vacancy or Misassignment

Teacher vacancy - 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 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.)

Teacher misassignment - A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.

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

Date of Problem: _____

Location of Problem (School Name, Address, and Room Number or Location):

Course or Grade Level and Teacher Name: _____

Please describe the issue of your complaint in detail. You may attach additional pages if necessary to fully describe the situation.

Please file this complaint at the following location: Please file this complaint with the person specified below at the following location:

Michael P. West, County Superintendent
Colusa County Office of Education
345 5th Street
Colusa, CA 95932

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)

Adopted: January 13, 2016

Use of Facilities

The County Board recognizes that county facilities are a community resource whose primary purpose is to be used for school programs and activities. The Board authorizes the use of school facilities by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

PRIORITY 1

Uses directly related to or for the benefit of public schools in Colusa County and the operation of those schools.

PRIORITY 2

Uses by departments of agencies of the local, state or federal government.

PRIORITY 3

Uses by community organizations formed for educational, political, economic, artistic, or moral interest of the citizens of the county.

The policies and procedures of the County Superintendent shall govern the use of facilities and fees charged.

Term and Revocation

No use shall be granted for a duration exceeding one year, and permission for any use shall automatically terminate on June 30, unless a formal lease contract is approved with language specifying length of the agreement and terms under which the contract may be terminated. Permission to use facilities and grounds may be renewed or revoked at the discretion of the Superintendent or his or her designee.

cf: SP 1330.00 Use of Facilities
SOP 1330.30 Schedule of Fees

Legal References:

Education Code, 38130 - 38139, 32280 - 32289

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: March 8, 2006
Revised: February 11, 2015

Emergencies and Disaster Preparedness Plan

The Board of Education recognizes that all 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 disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in the comprehensive school safety plan. (Education Code 32282)

The Superintendent or designee shall also develop and maintain emergency plans for each school site.

In developing the emergency plans, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators.

The Superintendent or designee shall use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating 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: 1330.00 - Use of School Facilities
4123.10 - Oath or Affirmation
4123.20 - Disaster Service Worker

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



**Policy and Procedures Manual
Colusa County Board of Education
Series 1000—Community Relations**

**BP 1340.00
Page 2 of 2**

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

Adopted: November 9, 2011

Relations with Other Agencies and Organizations

Agencies and Organizations

The County Board recognizes the importance of developing and maintaining cooperative working relations with other educational organizations, governmental agencies, and area, county, state, regional and national associations to promote and improve education.

The participation of local government, the health department and law enforcement agencies helps make campuses safer and instills a greater sense of citizenship in students. The County Board believes that the involvement of community agencies – through mutual planning, cooperation, coordination and evaluation – benefits the entire school population.

Private Industry

The County Board recognizes the importance of encouraging community resources to assist with school programs and services. The Board encourages businesses to participate in school programs that provide support and guidance to educators.

The County Office may enter into agreements with other agencies which involve the exchange of funds or reciprocal services.

Legal References:

Education Code, 1250-1252, 1258, 1294.5, 12400, 17751, 49305, 49402, 49403, 52376

Adopted: October 4, 1994
Reviewed: December 15, 1998
Revised: April 5, 2006

County Board of Education

The citizens of California, through the state constitution and state legislature, have created a three-level, K-12 public education system. The system includes the California Department of Education (CDE), a local district level and an intermediate level of county offices. The legislature has authorized a board of education at each level of this system with a differential set of rules and authority.

Responsibilities of the County Board

The County Board, operating as an official elected body, is responsible for the review, revision and approval of the annual budget of the County Office. Other responsibilities include the areas of court and community schools, regional occupational programs and instructional materials.

In addition, the California State Board of Education, on December 9, 1994, transferred the duties and powers of the Colusa County Committee on School District Organization to the Colusa County Board of Education

All actions of the County Board are taken in official meetings that are called, scheduled and conducted according to the applicable public meeting statutes of the state.

It is the goal of the County Superintendent to facilitate the responsibilities of the County Board and to work harmoniously with the members of the County Board as they strive to meet these responsibilities.

Board Policies

Formal policies adopted by the County Board in areas relating only to their responsibilities are called Board Policies.

cf: 1421 Board Relations
2142 Educational Resources Service
2144 Regional Occupational Program
2145 Court Schools
2146 Community Schools
3100 Budget

Legal References:

California Constitution, Article 9, Section 7
Education Code, 1000-1097, 1795, 1798, 1901, 18139, 32360, 32361, 48915,
48919, 48920, 51017, 52301, 56140

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: March 8, 2006

Board Relations

The County Board supports a cooperative working relationship between the County Office and the County Superintendent, though they are recognized as separate legal entities. To that end, the office of the County Superintendent regularly provides staff for the following functions:

- clerk for board agenda and minutes;
- standing committees;
- annual reports to the County Board.

Board Reports

The County Superintendent directs that all reports about County Office programs and services, recommendations and other communications to the County Board shall be clear, accurate, timely and reflective of the department. Copies of staff-developed material shall be sent to the County Superintendent for inclusion in the board packet as appropriate.

cf: 1420 County Board of Education
2130 Internal Advisory Units

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: March 8, 2006

Waivers

County administrators, staff, advisory committees or councils may recommend areas in which the County Board may ask the State Board of Education to waive certain provisions of the Education Code or the Code of Regulations, Title 5 when these provisions prevent the county from offering its students the best possible educational program.

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: March 8, 2006

Relations between Private Industry and the Schools

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

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

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

Adopted: October 4, 1994
Reviewed: December 15, 1998
Reviewed: March 8, 2006

ADMINISTRATION

Series 2000

This series deals with executive level administration organization. Materials in this section include operations, responsibilities and a description of the manner in which the County Office complies with administration requirements and priorities.

Beliefs & Roles

Administration Beliefs and Roles

BP 2000.00

Technology

BP 2010.00

Administration

Beliefs and Roles

The County Board expects the administration to promote the creation of the best possible educational program and to maintain an environment conducive to learning. The County Superintendent is the elected official responsible for administering numerous “arm of the state” duties required by state law. The County Superintendent also acts as the executive officer of the County Board and administers the rules adopted by the County Board under the powers and duties accorded to it by law.

The County Board refers to Superintendent Policy Administration Beliefs and Roles (SP 2000.00) for the effective management of the Colusa County Office of Education.

The County Superintendent employs administrative and supervisory personnel to assist in the effective management of the County Office. All divisions, departments, programs and services make up a single administrative system, organized so that appropriate decision-making takes place in accordance with the County Superintendent’s policies and procedures.

The success of the County Office administration depends upon the ability of individuals and groups to adapt to changing educational goals and the needs of students, the community and society as a whole.

The County Superintendent directs that County Office management and staff shall work cooperatively to:

- function effectively as a fiscally-independent County Office;
- link schools to county-based health, welfare, recreation, juvenile justice and other social service agencies;
- ensure the best and most effective learning program for the county by providing professional leadership, advice and counsel to school districts;
- provide guidance in all areas of school management which enhances the quality of education and supports the exploration of promising practices;
- implement and support direct services to students that are efficient and effective and that demonstrate a total commitment to the rights and dignity of all people;
- develop a coordination system for addressing and implementing state mandated programs and services among local districts, county offices and other concerned agencies;

- establish an administrative framework of direct responsibility that contributes to the accomplishment of the County Office goals;
- manage the day-to-day operations of the County Office's various departments, units, programs and projects effectively and efficiently;
- ensure the efficient, effective and economical operation of the County Office through on-going evaluation of programs, services, policies, procedures and personnel.

As the County Office's chief administrator, the County Superintendent may initiate and conduct any program or activity and otherwise act in any manner which is not in conflict with, inconsistent with or preempted by law and which is not in conflict with the purposes for which county offices were established.

Definitions

Administration – Department or system-wide activities which have as their purpose the general regulation, direction and control of the affairs of the County Office.

Administrative Staff – Employees whose primary responsibility is to administer the functions of the County Office and who, in the County Superintendent's judgment, are necessary to manage the operations of the County Office; also referred to as Assistant Superintendents.

Assistant Superintendent – An administrative employee who regularly exercises discretion and independent judgment in matters of personnel and program and who is designated by the County Superintendent to serve as the administrator of a particular department.

Certificated Management – Administrative employees who are contracted but serve at-will and whose job description requires an administrative and/or other credential.

Chain of Command – An organizational structure in which each person is responsible to one immediate supervisor, who is in turn responsible to her/his immediate supervisor.

Classified Employee – Those employees whose work does not require the holding of a credential.

Confidential Employee – Any employee whose work entails some access to collective bargaining information.

Consultant – An outside resource person hired on a contract basis to provide assistance to staff through conferences, demonstrations or other means.

Department – One of several organizational functions within the divisions of the County Office, usually consisting of one or more programs or activities.

Evaluation – A process that compares a set of predetermined standards with a set of practices; professional judgment on an employee’s competence for the purpose of determining job performance.

Leadership Team – An internal advisory unit of top management employees who are primarily engaged in activities which have as their purpose the general regulation, direction and control of the affairs of the County Office. The team includes the Assistant Superintendents for Administrative Services, Special Education, and Support Services, and Directors of Business Services, Child Development, and Technology Services.

Management Employee – An employee with significant responsibility for implementing County Office policies or administering programs.

Policy – A principle, plan or course of action as pursued by a government, organization or individual.

Principal – Certificated employee or site administrator who carries the major responsibility for students and the supervision and evaluation of teachers.

Professional Organization – An organization that offers job-related information, educational programs, trainings and/or publications; an organization that allows for the exchange of information and contact with others in the same or closely related area of responsibility.

Program – Specific work functions carried out in order to fulfill stated goals and objectives.

Supervision – A non-evaluative process for the purpose of providing leadership, direction, coaching, training and improvement in job performance on a continuous basis.

Supervisor – An individual who oversees the work of others and who has the responsibility to participate regularly in all or most of the following functions: recommendations to employ, promote, transfer, suspend, discharge, evaluate and adjudicate grievances of other employees.

Legal References:

Education Code, 1000 et seq., 1240 et seq., 35160, 35160.1
Government Code, 3540.1

Adopted: October 4, 1994
Reviewed: December 15, 1998
Revised: May 10, 2006
Revised: March 14, 2012
Revised: December 10, 2014

Technology

The County Board recognizes the need for policies that cover the administration for the proper use and implementation of technology. These policies include, but are not limited to, the following examples:

- Employee Use of Technology
- Student Use of Technology
- Use of Technology in Instruction
- County Office of Education Technology Plan

The County Board supports the Technology policies and regulations of the County Office of Education as stated in the Superintendent Policies Manual.

Adopted: December 15, 1998
Reviewed: May 10, 2006

BUSINESS

Series 3000

This series deals with regulations and procedures related to the fiscal management of the County Office. Also included in this section is information about purchasing, insurance, facility operations and environmental safety.

Concepts & Roles

Concepts and Roles in Business	BP 3000.00
Compensation of County Board Members	BP 3013.00
Opting Out of Stipend and/or Mileage Reimbursement	BOP 3013.00
Payments Colusa County Board Of Education	
County Superintendent Salary	BP 3014.00
Budget Committee	BP 3020.00
Purpose: To Outline the Process Used By the Budget Committee	BOP 3020.00

Budget

Budget Approval and Control Policy	BP 3100.00
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Income

Indirect Cost Rate	BP 3201.00
Purpose: To set the County Board Approved Indirect Cost Rate, by Program for Various Fiscal Years	BOP 3201.00
Grants	BP 3292.00

Powers & Duties

Grant Applications	BP 3293.00
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Expenditures

Real Property	BP 3310.00
Purpose: Process for Board Notification Prior to Additional Development in Multi-Phase Construction.	BOP 3310.00

Concepts and Roles in Business

The County Board recognizes that money and money management comprise the foundational support of the entire school program. To make that support as effective as possible, the Board intends to:

- Operate on a sound fiscal basis, proceeding in a prudent conservative manner;
- Maintain the reserve for economic uncertainties at 5% of budgeted expenditures;
- Maintain a Business Services Computer Reserve Fund;
- Maintain a Facility Acquisition fund in order to acquire new CCOE offices to provide consolidated services;
- Continue to promote good practices in human resources and finance;
- Support and implement increased technology for processing of fiscal responsibilities and services in all departments;
- Develop partnerships with districts and agencies to maximize the services provide by existing resources; and
- Support all CCOE programs in their efforts to develop new funding.

The Colusa County Office of Education shall maintain a healthy environment in support of the educational program, with high standards of safety in the operation and maintenance of school facilities, equipment and services.

Working Relationships of the Board and Superintendent

The County Superintendent or designee shall recommend financial plans in accordance with the goals and objectives of the Colusa County Office of Education. The County Board desires to be informed whenever programs may be endangered by a lack of funds or when the continuation of a program may result in an over expenditure of funds. The County Board expects programs that are categorically funded to operate within their funded amount, with no encroachment on the general fund. Encroachment on the general fund by a categorical source may result in discontinuation of the program.

The County Board desires complete information from the Superintendent and staff on all matters relating to the Colusa County Office of Education's financial operations. The County Board shall closely scrutinize all financial operations so that it may fully discharge its legal responsibilities with regard to school finance.

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: June 14, 2006

Compensation of County Board Members

Any member of the County Board of Education may receive as compensation \$25 for each meeting of the Board actually attended.

Any County Board member who uses his or her privately owned automobile in the discharge of necessary duties shall be allowed the same mileage allowance as is allowed other county office staff in the performance of their official duties.

Health insurance premiums, for Colusa County Office of Education sponsored health programs, shall be paid on behalf of any Colusa County Board member who requests such payment.

cf: *EC1090 Compensation for Members and Mileage Allowance*

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: May 10, 2006

**OPTING OUT OF STIPEND AND/OR MILEAGE REIMBURSEMENT PAYMENTS
COLUSA COUNTY BOARD OF EDUCATION**

I, [Board Member Name], a member of the Colusa County Board of Education, declare that the meeting stipends and/or mileage reimbursements that are due to me for my service at Colusa County Board of Education meetings are declined. The Board encourages the Superintendent to support awards to students in programs operated by the Colusa County Office of Education to further their educational goals.

I acknowledge that I may make changes to the contribution amount at the beginning of each fiscal year by filling out a new form. On the date written below, I have declined the following payment category to be used to further educational goals of Colusa County Office of Education Students:

Monthly Stipend

Mileage Reimbursement for
Board Business Meetings

Board Member's Signature

Date

Adopted: August 13, 2013

County Superintendent Salary

The salary of the County Superintendent shall be reviewed and adopted on an annual basis by the County Board of Education in an open meeting of the County Board of Education.

It is the intent of the County Board of Education to consider as the standard of comparison a number of data sources in establishing the annual salary of the County Superintendent. These data sources may include, but are not limited to:

1. Salaries of Class 7 County Superintendents statewide;
2. Salaries of district superintendents in Colusa County;
3. Salaries of contiguous county superintendents;
4. Other compensation, i.e. Medical plan, pension, benefits, that are accrued to the base salaries of these superintendent groups.

The average of base salaries of Class 7 County Superintendents statewide shall be computed each year.

The salary shall be established within funding constraints and shall be effective July 1 of the current year.

Legal References:

Education Code, 1205, 1207, 1213

Adopted: November 10, 1994

Reviewed: January 13, 1999

Reviewed: May 10, 2006

Budget Committee

The Governing Board recognizes that sound fiscal management requires anticipating financial problems and taking early corrective action.

A Budget Committee shall be established to regularly review the Colusa County Office of Education's financial condition, report to the Board on vital financial data, advise the Board regarding the maintenance of adequate reserves and recommend long-range fiscal policies to ensure the viability of educational programs, and review and recommend budget adoption and revisions.

The Budget Committee shall be made up of the Superintendent, the Assistant Superintendent, Administrative Services, the Director of Business Services and two Board members.

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: July 12, 2006
Revised: March 14, 2012

Purpose: To outline the process used by the Budget Committee.

The Budget Committee will call meetings each year prior to budget adoption (June) and prior to any budget revisions (usually December), or any other times as needed. Notes for each Budget Committee meeting will be attached to the fiscal documents covered in the meeting and maintained in the fiscal files.

The Budget Committee will review in detail and receive information from the CCOE Administration concerning a pre-adopted budget, and the adopted budget. The Budget Committee will then make recommendations to the full Board when appropriate. The first and second interim reports, and various budget adjustments that occur during the year, are taken to the full Board of Education for approval at a regular meeting.

Revised: May 10, 2006

Revised: July 12, 2006

Budget Approval and Control Policy

Budget approval and control of all funds and accounts of the Colusa County Office of Education, including federal and state programs, debt service and any other funds and accounts under the control or responsibility of the Colusa County Office of Education shall rest with the Colusa County Board of Education.

- The Colusa County Board of Education approves the proposed and revised budgets through formal adoption.
- The County Office Assistant Superintendent, Administrative Services monitors actual transactions so as not to exceed approved budgets.
- Assistant Superintendents may move budgeted amounts between and within major object classifications 1000 through 6000, (1000 Certificated Salaries, 2000 Classified Salaries, 3000 Employee Benefits, 4000 Books and Supplies, 5000 Contracted Services and Other Expenditures, 6000 Capitol Outlay) within a given program, with the approval of the County Superintendent of Schools or designee.
- The Colusa County Board of Education approves budget changes affecting revenues, fund balance components, or inter program reclassifications through the formal approval process.

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: September 6, 2006
Revised: March 14, 2012

Indirect Cost Rate

The state approved indirect cost rate as calculated on prior year Form ICR shall be applied to all programs operated by the Colusa County Office of Education. It is the objective of this policy to require all programs to pay the state rate.

The County Board of Education may allow exceptions on an individual case basis at the time of acceptance of the original or renewal application for a grant or program.

All program rates shall be reviewed each year prior to budget adoption.

The following criteria may be used to make indirect rate exceptions:

- Is the program doing what was intended?
- How many students are affected?
- Is the work load of the Business Office staff affected? How much?
- Does the grant impose any limitations on the rate?
- What is the difference in dollar amount between the State approved rate and the exception rate?
- Does the program operate in a fiscally sound manner?
- Do unused dollars have to be returned to the state?

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: September 6, 2006

Purpose: To set the County Board approved indirect cost rate, by program, for various fiscal years.

Pay the California Department of Education (CDE) approved indirect cost rate **or** pay an amount specifically authorized as an exception by the Colusa County Board of Education. Under no circumstances will the rate be greater than the CDE approved rate.

Revised: September 6, 2006

Grants

The County Board wishes to encourage staff to seek outside funding for special projects that will assist in meeting the mission and goals of the County Office. At a time when schools are experiencing diminishing funding for student services, there is an increased need for special projects. The need for such special projects may override any possible negative operational or financial impact.

Staff are encouraged to submit applications for the support of special projects to federal, state, foundation, corporate, individual or other funding sources. Project summaries and budgets for all applications shall be reviewed and approved by the department Assistant Superintendent prior to being submitted for County Superintendent approval.

Funded projects shall be subject to all existing County Board policies and procedures concerning budget approvals, i.e. BP 3100 and BP 3201.

The County Superintendent may make recommendations to the County Board regarding the funding and operation of special projects and programs, including:

- state grants;
- federal grants;
- categorical programs;
- regional programs;
- district cooperative programs;
- direct service contracts;
- joint powers agreement.

The County Superintendent shall prescribe the policies, procedures and guidelines to be followed in the development and operation of such specially-funded projects.

Legal References:

Education Code, 12400 et seq.

Adopted: November 10, 1994

Reviewed: January 13, 1999

Revised: August 9, 2006

Grant Applications

All new grant applications for the County Office should be approved by the County Board of Education before acceptance of grant funds or implementation of a grant program. It is incumbent upon the writer of any grant to meet with his/her supervisor to determine a timeline that will allow for this required Board review.

Exceptions to this policy must be approved by the Superintendent, or designee, in coordination with the Board President.

Renewals of grants that have previously been approved by the Board do not need Board approval, unless required by the funding terms and conditions of the specific grant

Legal Reference:
Education Code, 1040

Adopted: April 9, 2008

Real Property

It is the County Board's legal responsibility to provide a suitable, safe and healthful environment for students and staff and that responsibility is shared with the County Superintendent. It is the policy of the County Board that adequate and appropriate real property be provided to meet the housing needs of the programs and services of the County Office.

The County Superintendent assigns responsibility to the Assistant Superintendent, Administrative Services to develop and implement procedures which ensure compliance with all laws, codes and regulations. Real property leases, purchases or sale agreements shall be subject to the Colusa County Board of Education's approval.

Title to real property is held jointly by the County Board and the County Superintendent, collectively referred to as the Colusa County Office of Education.

cf: 0440 Safety and Health
1080 Duties that may be Transferred
3510 Facilities and Services
3514 Environmental Safety

Legal References:

California Constitution, Article I, Section 28(c)
Education Code, 1042c, 39210 et seq.

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: August 9, 2006
Revised: March 14, 2012

Purpose: Process for Board Notification Prior to Additional Development in Multi-Phase Construction.

In a multi phase project, when additional development is proposed that is outside the scope of the construction identified in one phase, but addressed in a subsequent phase, the following steps shall be taken:

1. A description of the proposed addition and an estimate of cost shall be provided by the Architect;
2. The description and estimate of cost shall be submitted to the Board;
3. The Board shall take action to approve or disapprove at the next Regular Board Meeting, or;
4. A Special Board Meeting shall be set, if action is needed earlier than the next Regular Board Meeting.

PERSONNEL

Series 4000

This series covers personnel.

Beliefs & Roles

Concepts and Roles in Personnel	BP 4000.00
Drug and Alcohol-Free Workplace	BP 4020.00
Consultants	BP 4126.00
Public Notice - Personnel Negotiations	BP 4143.10
Complaints	BP 4144.00

Concepts and Roles in Personnel

The County Board recognizes that the County Superintendent is the legal employer of certificated and classified personnel.

The County Board supports the personnel policies and regulations of the County Office of Education as stated in the Superintendent Policies Manual.

Legal References:
Education Code, 1293, 1311

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: October 11, 2006

Drug and Alcohol-Free Workplace

The County Board of Education believes that the maintenance of drug and alcohol-free workplaces is essential to school and County Office of Education operations.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in the Controlled Substances Act and Code of Federal Regulations before, during or after school hours at school or in any other district workplace.

The Superintendent as employer shall follow the policy and procedures set forth in SP 4020.

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: October 11, 2006

Consultants

The County Board of Education encourages the use of consultants when it is clear they can provide valuable and necessary specialized services not normally required on a continuing basis and which cannot be provided by County Office personnel because of limitations of time, experience or knowledge.

Consultants as used in this policy are individuals, firms, or organizations employed to provide specific technical or training services, or professional, technical, or expert advice, opinion, or guidance to management personnel on a limited and as needed basis which may assist management in decision-making and/or project development.

The County Board may contract with or employ consultants in financial, economic, accounting, engineering, legal, instructional or administrative matters.

The County Board of Education and the County Superintendent of Schools shall appoint the same legal counsel.

Legal References:

Education Code, 1042,10400, 35010, 35041.5, 535046, 35172(a)
Government Code, 53060

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: December 13, 2006

Public Notice - Personnel Negotiations

The County Board shall acknowledge public disclosure of tentative agreements with each bargaining unit.

Legal References:

Government Code, 3547, 3547.5

Code of Regulations, Title 8, 32075, 32900, 32910

Adopted: November 10, 1994

Reviewed: January 13, 1999

Reviewed: October 11, 2006

Complaints

The County Board recognizes the need for providing employees with a complaint process.

Though the County Board has no legal authority to hear or resolve complaints, the Board expects that employees and supervisors will make every effort to resolve employee complaints and disagreements informally before resorting to formal complaint procedures.

cf: 1312.3 Uniform Complaint Procedures
SP 0412 Sexual Harassment

Legal References:

Government Code, 3543, 3543.1, 53296, 53297, 53298, 53298.5

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: October 11, 2006

STUDENTS

Series 5000

The intent of this series is to focus upon the student rather than the educational process. Materials in this section address a student's admission to a programs, keeping records, student conduct and safeguarding each student's rights and well-being.

Concepts & Roles

Concepts and Roles in Student Personnel	BP 5000.00
Appeals of Interdistrict Attendance Agreements	BP 5010.40
Hearing Procedure for Interdistrict Attendance Appeals	BOP 5010.40
Interdistrict Attendance Appeal Form	BOP 5010.40
Exhibit A	
Appeals of District Expulsions	BP 5012.00
Expulsion Appeal	BOP 5012.00
Letter to Pupil - Receipt of Expulsion Appeal Request (English and Spanish Versions)	BOP 5012.00
Exhibit A	
Expulsion Appeal Request Form (English and Spanish Versions)	BOP 5012.00
Exhibit B	
Proof of Service by Mail -- CCP 1013a, 2015.5 (English and Spanish Versions)	BOP 5012.00
Exhibit C	
Notice of the County Board Decision Granting Appeal	BOP 5012.00
Exhibit D	
Noncustodial Parents	BP 5021.00
Student Wellness	BP 5030.00

Attendance

Admission	BP 5111.00
Opportunity Class	BP 5111.20
Assignment	BP 5111.21
Enrollment Protocol	BOP 5111.21
Exemptions from Attendance	BP 5112.10
Exclusions from Attendance	BP 5112.20
Student Leave of Absence	BP 5112.30
Closed Campus	BP 5112.50
Parental Notification - Absences	BP 5112.60

Students (continued)

Absences and Excuses	BP 5113.00
Work Permits	BP 5113.10

Conduct

Student Conduct	BP 5131.00
Vandalism, Theft, and Graffiti	BP 5131.50
Drug and Alcohol-Free Environment	BP 5131.60
Tobacco	BP 5131.62
Anabolic Steroids	BP 5131.63
Weapons and Dangerous Instruments	BP 5131.70
Academic Honesty	BP 5131.90
Dress and Grooming of Students	BP 5132.00
Gangs	BP 5136.00
Positive School Climate	BP 5137.00
Bullying Prevention	BP 5138.00

Progress

Grades/Evaluation of Student Achievement	BP 5121.00
Reclassification of English Language Learner Students	BP 5122.00
Communication with Parents/Guardians	BP 5124.00
Student Records	BP 5125.00
Release of Directory Information	BP 5125.10
Awards for Achievement	BP 5126.00
Graduation Ceremonies and Activities	BP 5127.00

Welfare

Health Care and Examinations	BP 5141.00
Accidents	BP 5141.10
Administering Medication	BP 5141.21
Infectious Diseases	BP 5141.22
Infectious Disease Prevention	BP 5141.23
Specialized Health Care Services	BP 5141.24
Tuberculosis Testing	BP 5141.26
Health Examinations	BP 5141.30
Immunizations	BP 5141.31
Head Lice	BP 5141.33
Child Abuse Reporting Procedures	BP 5141.40

Students (continued)

Child Abuse Prevention Programs	BP 5141.41
At-Risk Youths	BP 5141.51
Suicide Prevention	BP 5141.52
Safety	BP 5142.00
Discipline	BP 5144.00
Questioning and Apprehension at School by Law Enforcement Officers	BP 5145.11
Search and Seizure	BP 5145.12
Search & Seizure of Students, Student Belongings and Vehicles	BOP 5145.12
Freedom of Speech/Expression/Assembly: Publications Code	BP 5145.20
Nondiscrimination	BP 5145.30
Notifications Required By Law	BP 5145.60
Sexual Harassment	BP 5145.70
Married/Pregnant/Parenting Students	BP 5146.00
Dropout Prevention	BP 5147.00
Child Care	BP 5148.00
Student Excellence and Achievement	BP 5149.00

Concepts and Roles in Student Personnel

The focus of County Office programs is on students. It is incumbent upon the County Board, County Office employees, administrators and teachers to provide for the physical and intellectual welfare of the students in their charge. County Office employees shall work closely with parents/guardians, district administrators, agencies and the community to achieve a harmony of interests.

Students must be recognized and understood as individuals with unique abilities, social and economic backgrounds, ambitions and educational needs. The programs and services of the County Office must be designed and executed with this concept in mind if the fullest development of each student is to be achieved.

Students are expected to accept personal responsibility for making maximum use of those educational opportunities afforded by applying themselves diligently to the enterprise of learning both in the classroom and in other school-sponsored settings. It is also expected that as a result of the total school experience students will come to appreciate the values of self-discipline, responsibility, respect for others, their country and its governmental process.

Discrimination among students applying for admission to or attending our schools with respect to color, creed, race, gender, religion, ancestry, handicap, or national origins is prohibited.

Role of County Board

The Board:

1. Establishes policies to provide the best attainable program of education for the students.
2. Provides for the physical and mental well-being of students.
3. Determines policies regarding student behavior and attendance within the limits of the law.

Role of the County Superintendent of Schools

The County Superintendent of Schools:

1. Administers all schools and classes established by the Governing Board.
2. Directs the instruction guidance and discipline of all students.

3. Provides leadership and guidance to establish the pattern of education to be offered to students.
4. Has general charge of the enforcement of the compulsory attendance law and the issuance of work permits.
5. Has immediate authority for the closing of schools in case of emergencies involving the health and safety of students.

Definitions

Access to Records - A personal inspection and review of a record, an accurate copy of a record or receipt of an accurate copy, an oral description or communication of a record.

Adult Corrections - Instructional programs for incarcerated adults in basic skills and vocational programs.

Adult Student - A person eighteen (18) years of age or older who is less than fifty percent (50%) dependent upon her/his parent for maintenance. Adult students have the same access and release rights, except for records related to financial aid.

Community Schools - Instructional programs designed to meet the instructional needs of youth who have been expelled from regular schools and/or are referred by the probation department, the school district SARB and/or the county SARB.

Court Schools - Mandated instructional programs for youth who are wards of the court.

Expulsion - Removal of a student from the immediate supervision and control of school personnel and the general supervision of school personnel.

Firearm - Any device designed to be used as a weapon from which a projectile is expelled through a barrel by force of explosion or other form of combustion.

Habitual - Frequent repetition.

Individualized Educational Program (IEP) - A written statement for a student with disabilities that is developed and implemented in accordance with state and federal law.

Individual With Exceptional Needs (IWEN) - An individual identified by an Individualized Educational Program team as a disabled child in accordance with the Education Code.

LEA - Local Education Agency.

Opportunity Class - Typically serves students in grades 7,8,9 who are experiencing difficulties in regular education.

Parent - A natural parent, adoptive parent or legal guardian.

Preschool Student - A child who is younger than five years of age on December 2nd.

Regional Occupational Program (ROP) - Instructional programs providing job skill training designed to meet the educational needs of high school students aged sixteen (16 years or older and adults in Colusa County. Exceptions can be made for students under the age of sixteen (16) through waivers.

School Day - A day upon which the programs of the County Office are in session or weekdays during the summer recess.

Special Education - Specially-designed instruction, at no cost to the parent, to meet the unique needs of an individual with exceptional needs whose educational needs cannot be met with modification of the regular instruction program. Also may include related services, at no cost to the parent, which may be needed to assist such individuals to benefit from specially-designed instruction.

Student Attendance Review Board (SARB) - Representatives of various youth-service agencies who help a truant or insubordinate student and the student's parent/guardian solve problems by using community resources prior to referring a student to juvenile court.

Student Record - Any item of information directly related to an identifiable student, other than directory information maintained by the district or County Office or required to be maintained by a school employee in the performance of her/his duties, whether recorded in handwriting, print, tape, film, microfilm or other means.

Student with Previously Identified Exceptional Needs - A student who meets the requirements of Educational Code 56026 and who is enrolled in a special education program.

Suspension - Removal of a student from ongoing instruction for adjustment purposes.

cf: 5145.3 - Nondiscrimination

Legal References:

Code of Regulations Title 5, 300 et seq.
Education Code, 48904,44807,48921,56026

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: December 13, 2006

Appeals of Interdistrict Attendance Agreements

A. Attendance by Right (NO HEARING NOR APPEAL)

This section addresses interdistrict attendance as a matter of right.

Generally students attend schools in the district where either of their parents reside. It is recognized by the Board of Education that students generally obtain residence in a school district because of parental residency in the district in which attendance is desired. In addition to parental residency, there are a number of grounds for obtaining residency and attending a district as a matter of right, including the following:

1. licensed children's home placement [EC 48204(a)(1)];
2. student emancipation [EC 48204(a)(3)];
3. caregiving adult [EC 48204(a)(4)];
4. state hospital residence [EC 48204(a)(5)];
5. parent physical employment in the approving receiving district [EC 48204(b)].

B. Attendance Through Interdistrict Attendance Agreement (APPEAL PERMITTED)

This section addresses County Board appeals of local district discretionary decisions denying interdistrict attendance requests.

Presumption of Attendance in Home District The County Board recognizes that there are justifiable reasons for interdistrict transfers. Although school districts have authority to accept students from other districts and allow students who live within the district to transfer out, it is presumed and generally required that a student should attend school in his/her district of residence in the absence of substantial evidence presented in support of a request to a district for a student interdistrict transfer. [EC 46600]

1. Right to Appeal:

A person having custody of a student may appeal an unsuccessful interdistrict request within thirty (30) calendar days of the failure or refusal to issue a permit or to enter into an agreement allowing the attendance.

2. Verification:
An appeal shall only be accepted upon verification by the County Boards' designee that appeals within the districts have been exhausted.
3. Timeline:
Within thirty (30) calendar days of the filing of an appeal, the County Board shall determine whether the student should be allowed to attend in the district requested and if so, for what period of time. If compliance with the thirty (30) day time period is impractical, the County Board or County Superintendent may extend the time period for up to an additional five (5) school days upon parent application at least five (5) days prior to the hearing. Additionally, continuances may be granted upon parent application and a showing of good cause at least five (5) days prior to the hearing.
4. Notice and Hearing:
The County will provide adequate notice to all parties including the date and time of the hearing. The parties will be informed that they have the opportunity to submit written documents, statements and to be heard. It is expected that the District and parents will submit all documentary evidence for consideration at the time of filing or responding to an appeal as the case may be. If new evidence or grounds for the request are introduced, the County Board may remand the matter for further consideration by the district or districts. In all other cases the appeal shall be granted or denied on its merits.
5. District Board Enrollment Options:
It is expected that governing boards shall annually review the enrollment options available within the district and shall strive to make available options that meet the diverse needs, potential, and interests of students in Colusa County.
6. District Good Faith Presumption:
It is presumed that the local district has acted in good faith in considering the request for an interdistrict transfer and that as public officials, local district administrators and board members have properly performed their public duty. [Evidence Code § 664]
7. Basis for Sustaining Request for Appeal:
District decisions regarding interdistrict transfers shall not be over-turned unless there is substantial documented evidence that the district failed to properly consider the factors presented or as the interests of justice may otherwise require due to unusual and compelling circumstances which shall be specifically identified by the County Board prior to making its decision.
8. Decision Making Factors:

In rendering a decision, the County Board shall give careful consideration to the following factors:

- a. The grounds on which the student is requesting an interdistrict transfer.

Provided that there is documented compelling evidence that in the absence of an interdistrict transfer a student will otherwise suffer a substantial hardship, the following grounds may support interdistrict transfer:

- i. Mental or Physical Health of the Student

- The mental or physical health of the student as certified by a physician, school psychologist or other appropriate school personnel will be impacted by the denial of the request.

- ii. Transportation To and From School

- The transfer would allow the parent to get the child to school provided the transfer would not require transportation of a nature or duration which would have a detrimental educational impact on the child.

- iii. Completion of School

- The transfer would allow the student to complete not more than one public school year or graduate with his/her class from a school in the original district of residency when the parent/guardian has moved out of the district during that year.
- The transfer would allow a graduating senior to attend the same school he/she attended as a junior.

- iv. Sibling Attendance

- The student has a sibling or siblings attending a public or private school within the boundaries of the requested district, and the transfer is necessary to avoid splitting the family's attendance.

- v. Student Welfare

- The existence of serious home or community problems makes it inadvisable for the student to attend the school of residence as documented by recommendation from a judge, the School Attendance Review Board (SARB) or by a county child welfare, probation or social service staff.

- vi. Imminent Family Move
 - Documentation that the family will be moving to the receiving district in the immediate future and the family requests that the student start the school year in the requested district.
 - Documentation that the student will be living out of the district only one year or less.
- vii. Parent Physical Employment When the Receiving District has Denied Residency
 - The needs of the student justify a waiver of district admission restrictions.
- b. The adequacy of the record before it.
- c. The effect of the proposed transfer on the educational programs, and/or staffing patterns of either district.
- d. The fiscal impact on both districts including:
 - i. Fiscal penalty impact
 - ii. Class size maximums, and
 - iii. District(s) staffing impact

Legal Reference:

35160	Authority of governing boards
35181	Governing board power to convene hearings regarding attendance
46600-46609	Interdistrict attendance agreements, appeals, apportionment
48200	Persons included (compulsory education law)
48204	Residency requirements for school attendance
48915	Expulsion, particular circumstances
48915.1	Expelled individuals; enrollment in another district
48918	Rules governing expulsion procedures
48980	Notification of parent or guardian
52317	Admission of persons including nonresidents to attendance area
664	Evidence Code

Adopted: February 12, 1997
Reviewed: January 13, 1999
Revised: January 8, 2002
Reviewed: November 8, 2006
Reviewed: April 9, 2008
Revised: June 11, 2008
Revised: November 12, 2008

Hearing Procedure for Interdistrict Attendance Appeals

1. Call to order.
2. Introduction of hearing participants on both sides.
3. Declare that the hearing will be in open session unless parent requests a closed session based on privacy rights of pupil.
4. Brief statements (MAXIMUM OF FIFTEEN MINUTES, UNINTERRUPTED, FOR EACH PARTY WHICH TIME LIMIT SHALL BE STRICTLY ENFORCED):
 - 4.1 By Parent(s)
 - 4.2 By District
5. Questions by the County Board
6. Closing statement by chairperson to include:
 - 6.1 Board members only may deliberate among themselves to reach a decision.
 - 6.2 When decision will be made, if not announced after deliberation, and when the parties will be notified.

NOTE: Because the parent is the moving party, he or she has the right to go first in presenting the case. The Board also requests that both parties stay until a decision has been rendered, in case the Board needs additional information from either party.

**COLUSA COUNTY BOARD OF EDUCATION
INTERDISTRICT ATTENDANCE APPEAL
(Education Code 46601 and 46602)**

Name of Pupil

Birth Date

Address

Grade

School District of Residence

School

School District of Choice

Parent(s)/Guardian(s) Name

Phone (Home)

Parent(s)/Guardian(s) Address

Phone (Business)

Employer's Name (if claiming Attendance by Right due to physical
employment within the district of desired attendance)

Phone (Employer)

Employer's Address (if claiming Attendance by Right due to physical
employment within the district of desired attendance)

1. Date interdistrict attendance agreement denied: _____

a. District of Residence

I have attached a copy of the District of Residence specific written reason(s) given by the local board (district of residence) for not entering into an interdistrict attendance agreement in this case.

parent's initials

and/or

b. District of Choice

I have attached a copy of the specific written reason(s) the District of Choice refuses to enter into an interdistrict attendance agreement.

parent's initials

4. Why should the decision(s) of the district(s) be set aside (attach documentation, if any)?

5. List documents submitted for consideration by the County Board that are attached to this:

6. The information provided is the same as presented to the District Board.

parent's initials

Signature of Parent/Guardian

Date delivered or mailed to County
Superintendent of Schools – Colusa
County Office of Education

Reviewed: April 9, 2008

Revised: November 12, 2008, September 12, 2018

Appeals of District Expulsions

The County Board of Education shall hear expulsion appeals pursuant to Education Code Sections 48919 through 48926. It is the policy of the County Board to ensure that the constitutional right of due process protection through proper notice, fair hearing, and appeal are complied with unless waived in writing by either the adult student, the parent/guardian of a minor student or a representative thereof.

1. Appeal to County Board

- (a) An appeal of a school district governing board's decision to expel a pupil must be received by the County Superintendent's office within thirty (30) calendar days following notice to the pupil of the governing board's decision to expel.

2. County Board Hearing

- (a) The County Board shall hold an expulsion appeal hearing within twenty (20) schooldays following the filing by the pupil of a formal request for appeal, unless the pupil or the pupil's parent or guardian requests a postponement.
- (b) The expulsion appeal hearing shall be conducted in closed session, unless the pupil or pupil's parent or guardian requests a public session at least five (5) calendar days prior to the date of the hearing. Whether the hearing is conducted in closed or public session, the County Board may meet in closed session for the purpose of deliberations.
 - (1) If the County Board admits any representative of the pupil or the school district to the closed session, the County Board shall, at the same time, admit representatives from the opposing party.
 - (2) Whether the appeal is held in closed or public session, the name of the pupil shall not be disclosed.
 - (3) The County Superintendent shall preserve the record of the appeal hearing and make a copy available to the governing board or pupil upon written request.
- (c) The County Board shall determine the expulsion appeal of a pupil from the record of the hearing before the governing board, together with such applicable documentation or regulations as may be ordered. No evidence other than that contained in the record of the proceedings of the school board may be heard unless a hearing de novo (rehearing) is ordered or the pupil is asserting that the evidence was improperly excluded at the hearing, or with reasonable diligence such evidence could not have been presented at the

hearing. It shall be the pupil's responsibility to submit a written transcription for review by the County Board.

3. Limitations to the Scope of Review

- (a) The decision of the County Board shall be limited in scope as follows:
 - (1) Whether the governing board acted without or in excess of its jurisdiction. A proceeding without or in excess of jurisdiction includes, but is not limited to:
 - (A) A situation where an expulsion hearing is not commenced within the time periods prescribed by the Education Code;
 - (B) A situation where an expulsion order is not based upon the acts enumerated in Education Code Sections 48900, 48900.2, 48900.3 or 48900.4;
 - (C) A situation involving acts not related to a school activity or school attendance.
 - (2) Whether there was a fair hearing before the school district governing board.
 - (3) Whether there was a prejudicial abuse of discretion in the hearing. An abuse of discretion is established in any of the following situations:
 - (A) If school officials have not met the procedural requirements prescribed by the Education Code.
 - (B) If the decision to expel a pupil is not supported by the findings prescribed by Education Code Sections 48915.
 - (C) If the findings are not supported by the evidence.
 - (4) Whether there is relevant and material evidence which in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the governing board.
- (b) The County Board may not reverse a decision to expel a student based upon a finding of an abuse of discretion unless the County Board also determines that the abuse of discretion was prejudicial to the pupil.
- (c) Where the County Board finds that relevant and material evidence exists which, in the exercise of reasonable diligence, could not have been provided or which was improperly excluded at the hearing before the governing board, it may do either of the following:

- (1) Remand the matter to the governing board for reconsideration and may in addition order the pupil reinstated pending such reconsideration.
- (2) Grant a hearing de novo upon reasonable notice thereof to the pupil and to the governing board. The hearing shall be conducted in conformance with the rules and regulations adopted by the County Board.
- (d) In all other cases, the County Board shall enter an order either affirming or reversing the decision of the governing board. If the County Board votes to reverse the decision, the County Board may direct the governing board to expunge the records of the pupil and the records of the school district of any reference to the expulsion action. If the County Board votes to reverse the decision, it shall also order that the district reimburse the pupil for any cost of the hearing transcript.

4. County Board Decision

- (a) The decision of the County Board shall be final and binding upon the pupil and upon the governing board.
- (b) The pupil and the governing board shall be notified of the final order of the County Board in writing, whether by personal service or by certified mail. The order shall become final when rendered.
- (c) The County Board shall render a decision within three (3) schooldays of the expulsion appeal hearing.

Legal References:

Education Code, 48921

Adopted: April 9, 1997

Reviewed: January 13, 1999, November 8, 2006, December 13, 2017

Expulsion Appeal

in the matter of

Pupil _____ (student #) _____ Grade _____

A. Board president calls meeting to order and declares

The purpose of this meeting is to conduct a hearing in the matter of an appeal of the expulsion of _____ from the _____ School District. The appeal will be held in closed session (or open session) and will be conducted pursuant to the provisions of the California Education Code beginning with Section 48919.

B. For the Record:

Appellant: _____ a _____ grade student will be represented by _____ (parent(s), guardian(s) and/or attorney(s)).

Respondent _____ School District will be represented by _____.

Records and supporting documents, which include the Expulsion Appeal Request Form, any brief submitted by the appellant and a transcript of the hearing conducted by the Governing Board of the School District have been properly filed by the appellant. A reply brief, along with other documents in support of the expulsion order, have been properly submitted by respondent school district.

All submitted records and supporting documents are presently before the Board.

C. Expulsion action by the governing board took place on _____.

The appellant's formal notice of appeal was filed on the Colusa County Expulsion Appeal Request form and was submitted to this Board in timely fashion on _____.

It is the Chair's understanding that this matter is being appealed on grounds that would permit this Board to affirm or reverse the decision of the local governing board.

D. The order of oral argument shall be as follows:

1. The appellant will present first.
2. Then the respondent will present.
3. Finally, the appellant may give a closing statement if he/she so chooses.

Pursuant to the provisions of section 48920 of the California Education Code, following the completion of oral arguments, the Board will meet in closed session for the purpose of deliberating on this matter. At that time, representatives of the appellant and of the respondent district will be excluded.

Are there any questions from either party regarding the hearing procedure?

E. Pupil's representative, you may address the Board.

(Presentation of oral argument by appellant).

F. District's representative, do you wish to make a closing argument?

(Presentation of oral argument by the respondent).

G. Pupil's representative, do you wish to make a closing argument?

H. Do members of the Board have any questions for the appellant or the respondent?

I. Hearing no other questions from the Board, the members of the Board will now retire to a closed session to deliberate.

Note 1: The Board then discusses and votes on action to be taken with respect to the decision of the School District governing board to expel the appellant.

Note 2: In the event of a REVERSAL, the Board has the option of ordering an expungement of the records of the pupil and the district of any reference to the expulsion. In addition, the County Board must direct the local board to reimburse the appellant for any costs the appellant had to bear for a written transcript of the record.

Sample motions which may result after discussion and deliberation are as follows:

1. I move that this Board AFFIRM the decision of the _____ School Board to expel _____ for the following reasons:
 - a.
 - b.
 - c.

2. I move that this Board REVERSE the decision of the _____ School Board in expelling _____ for the following reasons:
 - a.
 - b.
 - c.I also move that all pupil and school records regarding this expulsion action be expunged. Further, the _____ School District is to reimburse the pupil for any costs he/she may have had to bear in producing the written transcript of the district hearing.
3. I move that this expulsion action be remanded to the _____ School District to consider the relevant and material evidence that was not considered in the expulsion hearing.

(Letter to Pupil - Receipt of Appeal Request)

Dear _____:

On _____, the Colusa County Office of Education received notification that you intended to file an expulsion appeal on behalf of _____, a student in the _____ School District.

To facilitate the hearing of this appeal:

1. Complete and return the enclosed "Expulsion Appeal Request Form" to Colusa County Office of Education.
2. Deliver a copy of the completed form to the school district that conducted the expulsion with a completed proof of service by mail (attached).
3. Request a copy of the transcript of the expulsion hearing and copies of supporting documents that were used in the hearing from the school district. The district must provide these documents within ten (10) schooldays of your request. You are responsible for paying the cost of transcribing the transcript and copying the supporting documents unless you "cannot reasonably afford the cost of the transcript because of limited income or exceptional necessary expenses or both" (Education Code 48921). Should the county board reverse the expulsion order; the local school board will reimburse the pupil for the cost of the transcript.

The supporting documents from the district must include the following:

- Notice of hearing sent to the pupil and record of receipt.
- If the hearing was conducted before a hearing officer or panel, the findings of fact and recommendations of the hearing officer or panel.
- Minutes of the meeting at which the governing board took action to expel the pupil.
- Policies, regulations and procedures adopted by the governing board relating to the conduct of hearings on the question of the expulsion of a pupil.
- Statement of whether there exists relevant evidence which, in the exercise of reasonable diligence, could not have been produced or which was excluded at the hearing. If such evidence exists, then a full description of it and the reasons for exclusion.

Please carefully read the attached "Expulsion Appeal Request Form" and pay particular attention to Section VII which refers to your rights and obligations under the California Education Code. We have included a copy of the procedures followed by the County Board when hearing appeals.

If you have any questions regarding the process of appealing an expulsion, please call the Colusa County Office of Education. The County Office cannot give you legal advice or discuss the merits of your case. The County Office will facilitate a settlement conference discussion should both parties so desire.

If you feel that you need the assistance of an attorney, please be advised that you are entitled to have such representation at these proceedings. The County Office, however, represents neither party on this appeal and cannot make specific recommendations of attorneys for this purpose.

Please remember that time is of the essence in this matter. You have thirty (30) calendar days from the date the governing board decided to expel the pupil to file this appeal. A Board of Education appeal hearing will then be scheduled within twenty (20) school days from the filing date.

Sincerely,

Enclosures:

Expulsion Appeal Request Form
Proof of Service by Mail
Expulsion Appeal Policy
Education Code Sections 48900 (a)-(o) and 48900.2, 48900.3, 48900.4

(Letter to pupil - Receipt of Appeal Request)

Estimado _____:

El _____, la Oficina de Educación del Condado de Colusa recibió una notificación que usted intenta hacer una apelación de expulsión a nombre de _____, un estudiante del distrito escolar _____.

Para facilitar el proceso de la audiencia:

1. Llene y regrese la forma "Petición para Una Apelación de Expulsión" a la Oficina de Educación del Condado de Colusa.
2. llevar una copia de las formas completas al distrito escolar que condujo la expulsión y pida un comprobante por correo (adjunto).
3. Pida una copia del reporte de la audiencia de la expulsión y copias de documentos que se usaron durante la audiencia del distrito escolar. El distrito debe proveerle estos documentos en menos de diez (10) días escolares de cuando usted se los pidió. Usted es responsable de pagar el costo de la transcripción de los documentos a menos que usted "no pueda con el costo debido a sus ingresos bajos o debido al costo de sus necesidades o por las dos razones" (código educacional 48921). Si la mesa del condado le otorga su petición y le suspenden la expulsión, la mesa directiva local de la escuela le reembolsara el costo de esos documentos al estudiante.

Los documentos de apoyo del distrito deben incluir lo siguiente:

- Nota de la audiencia mandada al estudiante y registro del recibo.
- Si la audiencia fue conducida ante un oficial de audiencia o en frente de un grupo, los resultados de los hechos y recomendaciones del oficial de audiencia o del grupo.
- Las minutas de la junta en el cual la mesa gobernante tomo la acción de expulsar al estudiante.
- Pólizas, reglas y procedimientos adoptados por la mesa directiva en relación de las conductas de las audiencias con respecto a las expulsiones de un estudiante.
- Una declaración de si existe evidencia relacionada que, en el ejercer diligencia razonable, no pudo ser producida o que fue excluida en la audiencia. Si tal evidencia existe, una descripción completa de tal y la razón por lo cual fue excluida.

Por favor lea la "Forma de Petición de Apelación de Expulsión" adjunta con mucha precaución y ponga atención especial a la Sección VII la cual se refiere a sus derechos y obligaciones bajo el Código de la Ley de California. Le hemos incluido una copia de los procedimientos que la mesa del condado sigue en apelaciones.

Si usted tiene alguna pregunta del proceso de apelar una expulsión, favor de llamar a la Oficina de Educación del Condado de Colusa. La oficina no podrá darle consejos legales o discutir los méritos del caso. La oficina del condado facilitara una conferencia de llegar a una solución si los dos partidos lo desean.

Si usted cree necesitar la ayuda de un abogado, favor de anotar que usted tiene el derecho de tener tal representación en este proceso. Pero la oficina del condado, no representa a ningún partido en esta apelación y no puede hacer recomendaciones de abogado para este propósito.

Por favor recuerde que el tiempo es muy importante en estos asuntos. Usted tiene treinta (30) días de calendario para poner una apelación de la fecha de cuando la mesa gobernante decidió expulsar al estudiante. Una audiencia de apelación de la Mesa Directiva de Educación se programará en menos de veinte (20) días escolares de la fecha en que se entregó la petición.

Atentamente,

Documentos Adjunto:

Forma de Petición de Apelación de Expulsión
Comprobante de Recibo por Correo
Póliza de Apelación de Expulsión
Secciones de Código Educativo 48900 (a)-(o) y 48900.2, 48900.3, 48900.4

COLUSA COUNTY OFFICE OF EDUCATION
EXPULSION APPEAL REQUEST FORM

If you wish to file an appeal from the decision to expel the pupil, you must complete and return this form to both the County Office of Education and to the school district that conducted the expulsion. The County Office of Education is located at 345 5th Street, Colusa, California; its telephone number is (530) 458-0350. **READ CAREFULLY**

I. INFORMATION ON THE PUPIL APPEAL EXPULSION

- A. Name of Pupil: _____
- B. Name of Parent/Guardian: _____
- C. Address: _____

- D. Phone Nos. (Home) _____ (Work) _____
- E. Attorney/Representative of Pupil (If any):

II. INFORMATION ON DISTRICT EXPULSION

- A. School District: _____
- B. School of Attendance: _____
- C. Grade Level of Pupil: _____
- D. Date of Suspension: _____
- E. Date of Expulsion Hearing: _____
- F. Date of District Governing Board Decision to Expel: _____

III. GROUNDS FOR EXPULSION (Circle Applicable Section(s))

- A. Education Code 48900 a, b, c, d, e, f, g, h, i, j, k, l, m, n, and o
- B. Education Code 48900.2, 48900.3 and 48900.4
- C. Other

IV. BRIEF FACTUAL BACKGROUND OF INCIDENT OR INCIDENTS INVOLVED IN THE EXPULSION

V. ATTACH A COPY OF ALL WRITTEN MATERIALS IN YOUR POSSESSION PERTAINING TO YOUR APPEAL. This material should include all correspondence with the school district, all formal documents involved in the suspension and expulsion process (including formal notices and decisions to expel), and all other relevant documents. In addition, a transcript of the expulsion hearing must be filed by you with the County Office immediately upon its receipt from the school district. You should request a copy of transcript from the school district immediately.

VI. IDENTIFY WHICH OF THE FOLLOWING GROUNDS ON WHICH YOU ARE REQUESTING THE APPEAL WITH A BRIEF EXPLANATION OF EACH AS IT RELATES TO YOUR CASE

(1) Whether the governing board acted without or in excess of its jurisdiction. A proceeding without or in excess of jurisdiction includes, but is not limited to, a situation where an expulsion hearing is not commenced within the time periods prescribed by law, a situation where an expulsion order is not based upon the misconduct defined in the Education Code, or a situation involving misconduct not related to school activity or attendance.

(2) Whether there was a fair hearing before the governing board.

(3) Whether there was a prejudicial abuse of discretion in the hearing. An abuse of discretion is established in any of the following situations:

- (a) If school officials have not met the procedural requirements of the suspension and/or expulsion provisions in the Education Code.
- (b) If the decision to expel a pupil is not supported by the findings prescribed by Section 48915.
- (c) If the findings are not supported by the evidence.

(4) Whether there is relevant and material evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the governing board.

VII. OTHER RIGHTS AND OBLIGATIONS

- A. You must file the appeal with the County Board within 30 calendar days of the school district governing board's decision to expel. (Ed. Code 48919).
- B. The County Board will hold the hearing on the appeal within 20 schooldays following the filing of this formal request for appeal (Ed. Code 48919).
- C. The County Board will make its decision either at the time of the hearing or within three schooldays of the hearing, unless the pupil requests a postponement. (Ed. Code 48919).
- D. It shall be the responsibility of the pupil to submit a written transcript of the expulsion hearing to the County Board. Using this form, a transcript should be requested immediately from the school district.
- E. The rules and regulations adopted by the County Board are attached to this form. These are the procedures that will be followed by all parties to this appeal and the County Board in conducting the hearing. (Ed. Code 48919).
- F. The County Board shall hear in closed session unless the pupil makes a written request to the County Board that the appeal be held in a public meeting. Such a request must be received at least five (5) calendar days prior to the hearing. (The Board may meet in closed session to deliberate the appeal or matters arising therefrom both during or after presentation of the arguments, excluding both parties and their representatives while they do so). (Ed. Code 48920)
- G. The County Board shall determine the appeal from the expulsion upon the record of the hearing before the school district governing board, the administrative panel, or hearing officer unless a "de novo" hearing is ordered. Where another hearing is not ordered by the Board, applicable documents and regulations will also be considered but no additional evidence (unless the evidence is claimed to have been improperly omitted from the hearing) will be considered. (Ed. Code 48921)

Submitting a copy of this formal expulsion appeal to the school district also constitutes a request to the district for a copy of written transcripts and supporting documents from the district, if such request has not already been made. The school district must provide the pupil with the written transcripts, supporting documents, and records within ten (10) schooldays following this request. Upon receipt, the pupil shall file a copy of the transcript with the County Board.

Date: _____, 20__

Signature of Parent/Guardian/Representative/Pupil

OFICINA DE EDUCACION DEL CONDADO DE COLUSA
FORMA DE PETICION PARA APELAR LA EXPULSION

Si gusta pedir una apelación de la decisión de expulsar al estudiante, usted debe completar y regresar esta forma a la Oficina de Educación del Condado de Colusa y también a la escuela del distrito que condujo la expulsión. La oficina de Educación está localizada en el 345 Calle 5, Colusa, California; el teléfono es el (530) 458-0350. **LEA CUIDADOSAMENTE**

I. INFORMACION DEL ESTUDIANTE CON APELACION A LA EXPULSION

- A. Nombre del Estudiante: _____
- B. Nombre del Padre/Tutor: _____
- C. Domicilio: _____

- D. No. Teléfono (Casa) _____ (Trabajo) _____
- E. Abogado/Representante del Estudiante (Si es que lo hay):

II. INFORMACION DE LA EXPULSION DEL DISTRICTO

- A. Distrito Escolar: _____
- B. Escuela de Asistencia: _____
- C. Grado del Estudiante: _____
- D. Fecha de Suspensión: _____
- E. Fecha de la Audiencia de la Expulsión: _____
- F. Fecha de la Decisión de Expulsión de la Mesa Directiva: _____

III. RAZONES POR LA EXPULSION (Circule las Secciones Que Aplican)

- A. Código Educacional 48900 a, b, c, d, e, f, g, h, I, j, k, l, m, n, y o
- B. Código Educacional 48900.2, 48900.3 y 48900.4
- C. Otro

IV. EN BREVE DESCRIBA EL INCIDENTE O INCIDENTES ENVUELTOS CON LA EXPUSION

- V. Adjunte una copia de todo lo que usted tiene en su posesión y que este por escrito que tenga que ver con la apelación. Este material debe incluir toda la correspondencia con el distrito escolar, todos los documentos formales envueltos en la suspensión y expulsión (incluyendo notas formales y decisiones de la expulsión), y cualquier otro documento relacionado.

Adicional, una transcripción de la audiencia de la expulsión debe ser sometida de parte de usted con la Oficina de Educación inmediatamente después de recibirla de parte del distrito escolar. Usted debe pedir a distrito escolar una copia de la transcripción inmediatamente.

VI. IDENTIFIQUE POR CUALES DE LAS SIGUIENTES RAZONES USTED ESTA PIDIENDO SU APELACION Y DE UNA BREVE EXPLICACION DE CADA UNA DE COMO SE RELACIONA A SU CASO.

(1) Si la Mesa Directiva actúo sin o con exceso de su jurisdicción. Un procedimiento sin o con exceso de juicio incluye, pero no se limita a una situación en donde una audiencia de expulsión no se comienza según el periodo prescrito por la ley, una situación donde una orden de expulsión no se basa en la falta de conducta como es definida en el Código Educativo, o una situación de falta de conducta que no se relaciona a una actividad o asistencia a la escuela.

(2) Si es que hubo una audiencia justa antes la Mesa Directiva.

(3) Si es que hubo un abuso de prejuicio o discreción en la audiencia. Un abuso de discreción se establece en cualquiera de las siguientes situaciones:

- (a) Si los oficiales de la escuela no cumplieron con los requisitos del proceso de la suspensión y/o expulsión de la provisión del Código Educativo.
- (b) Si la decisión de expulsar al estudiante no es apoyada por los hechos como prescritos en la Sección 48915.
- (c) Si lo dicho no es apoyado con evidencia.

(4) Si hay material y evidencia relacionada, que en el ejercer diligencia razonable, no podría haberse producido o que fue excluida inapropiadamente en la audiencia ante la Mesa Directiva.

VII. OTROS DERECHOS Y OBLIGACIONES

- A. Usted deberá entregar la apelación con la Mesa Directiva del Condado entre 30 días de calendario de cuando la Mesa Directiva del Distrito Escolar tomo la decisión de expulsar (Código Educacional 48919).
- B. La Mesa Directiva del Condado tendrá su audiencia de la apelación entre 20 días escolares después de esta petición formal de la apelación (Código Educacional 48919).
- C. La Mesa Directiva del Condado hará su decisión al tiempo de la audiencia o dentro de tres días escolares a mas que el estudiante pida que se posponga (Código Educacional 48919).
- D. Será la responsabilidad del estudiante de entregar una transcripción de la audiencia de la expulsión a la Mesa Directiva del Condado. Usando esta forma, una transcripción deberá pedirse inmediatamente del distrito escolar.
- E. Las reglas y regulaciones adoptadas por la Mesa Directiva del Condado están adjunto a esta forma. Estos son los procedimientos que deberán seguirse por todos los partidos a esta apelación y la Mesa Directiva del Condado que estará conduciendo la audiencia. (Código Educacional 48919).
- F. La Mesa Directiva del Condado deberá tener la audiencia en sección privada a mas que el estudiante pida por escrito a la Mesa Directiva que la apelación sea conducida públicamente. Tal requisito deberá recibirse por lo menos cinco (5) días calendarios antes de la audiencia. (La Mesa Directiva puede que decidan discutirlo en una sesión privada para deliberar la apelación o temas que surgieron durante o después de los argumentos, excluirán a los dos partidos y a sus representantes mientras se juntan en privado). (Código Educacional 48920)
- G. La Mesa Directiva del Condado determinara la apelación de la expulsión de cuando se grabó la audiencia antes la Mesa Directiva del distrito escolar, el panel administrativo, u oficial de audiencia a más de que una audiencia “de novo” sea ordenada. Donde otra audiencia no sea ordenada por la Mesa Directiva documentos y reglas aplicables serán también consideradas, pero no se admitirán evidencia adicional (a mas que la crea que la evidencia haya sido inapropiadamente admitida de la apelación) será considerada. (Código Educacional 48921)

El someter una copia de esta apelación de expulsión formal al distrito escolar, también constituye una petición de una copia de transcripciones escritas y documentos relacionados del distrito, si tal petición no ha sido hecha aun. El distrito escolar deberá proveer al estudiante con las transcripciones escritas, documentos de apoyo, y archivos en menos de diez (10) días escolares después de esta petición. En cuanto sea recibida, el estudiante deberá someter una copia de la transcripción a la Mesa Directiva del Condado.

Fecha: _____, 20

Firma de Padre/Tutor/Estudiante

Revisado: 11/08/06, 01/10/18

PROOF OF SERVICE BY MAIL -- CCP 1013a, 2015.5

I declare that:

I am (a resident of/employed in) the county of _____, California.
(county where mailing occurred)

I am over the age of eighteen years and not a party of the within entitled cause;
my (business / residence) address is:

On _____, I served the attached _____
(Date)

_____ on the _____

in said cause, by placing a true copy thereof enclosed in sealed envelope with
postage thereon fully prepaid, in the United States mail at
_____ addressed as follows:

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct, and that this declaration was executed on

_____, at _____ California
(date) (place)

(type or print name)

Signature

Revised: November 8, 2006

Reviewed: December 13, 2017

PRUEBA DE SERVICIO POR CORREO -- CCP 1013a, 2015.5

Yo declaro que:

Yo soy un (residente/empleado en) el condado de _____,
California. (Condado en donde se mando por correo)

Yo soy mayor de diez y ocho años de edad y no tengo parte de la causa titulada;
mi domicilio (de negocio/residencia) es:

El _____, yo serví lo adjunto _____
(Fecha) _____ en el _____

En dicha causa, al poner una copia verdadera de lo adjunto en un sobre sellado
con estampilla pagada completamente, en el correo de los Estados Unidos en el
_____ con el domicilio siguiente:

Yo declaro bajo perjurio de pena bajo las leyes del estado de California que lo
previo es cierto y correcto y que esta declaración fue ejecutada el
_____, en _____ California
(Fecha) (Lugar)

(Nombre escrito en maquina o letra de molde)

Firma

(Notice of County Board Decision Granting Appeal)

**BEFORE THE COLUSA COUNTY BOARD OF EDUCATION
COLUSA, CALIFORNIA**

In the Matter of the Expulsion of _____) FINDINGS
_____) DECISION AND ORDER
_____)
_____) Date:
_____) Time:
_____ School District) Place: Colusa County Office of Education

INTRODUCTION

The Expulsion Appeal of _____, was heard by the Colusa County Board of Education on _____, 20__. Appellant _____, was represented by counsel _____. Respondent _____ School District was represented by _____. The Board having examined the record of the District's expulsion hearing, the written arguments of counsel for each party, the oral arguments of each party, now hereby renders the following findings and order:

FINDINGS

(Include whichever findings are applicable)

1. The Governing Board of _____ School District acted without or in excess of its jurisdiction over _____ because:

- The expulsion hearing was not commenced within the time periods prescribed by law.
- The expulsion order was not based upon the acts enumerated in Education Code Sections 48900, 48900.2, 48900.3, or 48900.4.
- The situation did not involve acts related to a school activity or attendance;
and/or

2. The Governing Board of _____ School District denied a fair hearing to _____ in that *(include description of facts indicating that the hearing was unfair, e.g., the pupil was not allowed to present material evidence on his/her own behalf)*; **and/or**

3. The Governing Board of the _____ School District committed a prejudicial abuse of discretion in the expulsion hearing in that: *(include all which apply)*

- The District did not meet the procedural requirements for expulsion under the Education Code; **or**
- The decision of the Governing Board was not supported by the findings as required by the Education Code; **or**
- The findings made by the Governing Board were not supported by substantial evidence as required; **and/or**

4. There is relevant and material evidence which was improperly excluded in the hearing before the District, namely *(describe the evidence that was offered at the hearing but was not allowed to be included)*; **and/or**

5. There is relevant and material evidence which, in the exercise of reasonable diligence, could not have been produced, namely *(describe the evidence, why it could not reasonably have been produced at the hearing, e.g., testimony by another pupil that the appellant was in another part of the campus at the time of the offense, which witness was not known to appellant until after the hearing)*.

ORDER

1. The Colusa County Board of Education hereby orders that the decision of the Governing Board of the _____ School District be reversed; **or** *(if findings 4 or 5 are included)*

2. The Colusa County Board of Education remands this matter to the Governing Board of the _____ School District to reconsider the matter in light of the new *(or excluded)* evidence and either deny the recommendation to expel or grant the pupil a new hearing de novo; **and**

3. The Board further orders the District to expunge this expulsion from the record of the student.

4. The District is ordered to reimburse the parents for the cost of the record before the District.

Adopted by the following vote:

AYES:

NOES:

ABSENT OR ABSTAIN:

Date: _____

Colusa County Board of Education

By: _____

Noncustodial Parents

Both natural or adoptive parents of any student may access their child's student records, participate in school activities, visit the student at school and pick up the student after school. These rights shall be respected even if legal custody is vested in only one named parent, unless a court order restricts the right of the noncustodial parent. Parents/guardians may be asked to provide evidence of any completed or pending legal action which curtails the noncustodial parent's rights. School staff shall always abide by the most recent court order on the matter.

Upon request, the County Office of Education shall provide noncustodial parents with announcements and notices that are sent to the custodial parent.

cf: 6020 - Parent Involvement
5125 - Student Records
5142 0 Student Safety

Legal References:
Education Code, 49069

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: November 8, 2006

Student Wellness

The Superintendent and County Board of Education recognize the link between student health and learning and desire to provide a comprehensive program promoting healthy eating and physical activity.

To encourage consistent health messages between the home and school environments, the Superintendent or designee may disseminate health information to parents/guardians through newsletters, handouts, parent/guardian meetings, the Colusa County Office of Education (CCOE) website, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

Nutritional standards for the school breakfast and lunch programs shall meet or exceed state and federal standards.

Students shall be allowed adequate time to eat and lunchroom facilities shall be appropriate for the age level being served.

Nutrition education that is age-appropriate at each grade level shall be focused on behavior change.

All students in pre-K to grade 12 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 other structures and unstructured activities.

Outreach strategies to encourage families to reinforce and support healthy eating and physical activity shall be implemented.

Admission

The County Board believes that all students should have the opportunity to receive appropriate educational services. Staff shall encourage parents/guardians to enroll all school-aged children in school.

The County Superintendent or designee shall maintain procedures which provide for the verification of all entrance requirements specified in law and in Board policies and regulations.

cf: 5111.1 District Residency
5111.11 Residency of Students in Foster Care
5111.12 Residency Based on Parent/Guardian Employment
5111.13 Residency for Homeless Children
5119 Students Expelled from Other Districts
5141.22 Infectious Diseases
5141.3 Health Examinations
5141.31 Immunizations

Legal References:

Code of Regulations Title 5, 200-201
Code of Regulations Title 17, 6000-6075
Education Code, 46600, 48000, 48002, 48010-48011, 48050-48053, 48200,
48211, 48221, 49076, 49408,
Health and Safety Code, 3380-3390, 3400-3409
CDE Management Advisory 0900.09
Title VII, Subtitle B The McKinney Act of 1987

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: January 10, 2007

Opportunity Class

The County Board recognizes that attendance and behavior problems can have serious detrimental effects and sometimes cause students to drop out of school. In order to provide an alternative educational setting for students who are in danger of becoming irregular in attendance, habitually truant from school, or in danger of becoming insubordinate or disorderly during their attendance, the Board may maintain an Opportunity Class, at district request, in each of the four Colusa County School Districts for sixth, seventh, eighth and ninth grade students.

The Opportunity Class goals shall be to improve behavior, attendance, and grades so that the students may return to the regular classroom as soon as practicable.

Legal References:

Education Code, 48637, 48637.1, 48637.2, 48637.3
CDE Program Advisory
1007.87 Opportunity Classes and Programs

Adopted: December 13, 2000

Revised: February 14, 2007

Assignment

The Superintendent or designee may assign students to the Opportunity Class only upon the recommendation of a school committee as required by law.

The Superintendent or designee shall ensure that due process procedures are observed, that students and parents/guardians are notified in writing prior to the student assignment, and that a review of each student's progress is conducted at least twice a year while he/she is attending the Opportunity Class. Parent participation in this review is voluntary; however, they must be notified.

Legal References:

Education Code, 48637, 48637.1, 48637.2, 48637.3
CDE Program Advisory
1007.87 Opportunity Classes and Programs

Adopted: December 13, 2000

Revised: February 14, 2007

Enrollment Protocol

1. Students may be referred to the Opportunity Class upon the recommendation from a school committee after consistent and comprehensive attempts to mediate the student have occurred within the regular education environment.
2. The school committee shall include but not be limited to the following members:
 - a. The district administrator or designee who is familiar with the student's progress.
 - b. The Opportunity Class teacher.
 - c. The student's parent/guardian, at the parent/guardian's option. The parent/guardian may designate a representative such as a counselor, social worker, or other community member to attend the committee meeting.
3. Upon agreement or appropriate placement by the committee, the Opportunity Class teacher must notify the Assistant Superintendent, Support Services for final approval of placement.
4. Prior to assigning a student to Opportunity Class, the District Site Administrator shall notify the student's parent/guardian in writing. Insofar as practicable, the notice shall be in the parent/guardian's primary language and shall request the parent/guardian to respond within ten days. If the parent/guardian does not respond, the Site Administrator shall make a reasonable effort to contact the parent or guardian by telephone.
5. This placement shall be for a minimum of a 180-minute instructional day. The number of days of placement shall be determined by student need. An estimated length of placement shall be determined at the time of the referral, but may be adjusted during the course of review of student progress.
6. A review shall be conducted at least twice each school year to examine the progress of each student assigned to the Opportunity Class for adjustment purposes and to determine whether the student would benefit by returning to the regular classroom. This review shall be held with the Opportunity Class teacher, student and parent/guardian. Site Administrator must also be notified in advance of meeting. Parent/guardian participation is voluntary, however they must be notified.

7. After the review, the Opportunity Class teacher shall notify the District Site Administrator and the Assistant Superintendent, Support Services of the student's progress. If appropriate, a beginning transitioning date of the student to the regular classroom shall be determined.
8. If a student has a current Special Education Placement, the Special Education Teacher and Psychologist must be included in the school committee and an I.E.P. Team meeting must be held to approve placement before the student is assigned to the Opportunity Class.

Legal References:

Education Code, 48637, 48637.1, 48637.2, 48637.3

Adopted: December 13, 2000

Revised: February 14, 2007

Revised: December 10, 2014

Exemptions from Attendance

The County Board may grant exemptions from compulsory attendance to students as allowed by law and in the best interest of the student. Parents/guardians of students granted exemptions shall not incur penalties for violations of the compulsory attendance laws.

Exemptions shall not be used to remove students who are disciplinary problems. Suspension, expulsion, transfer to alternative programs and other administrative measures shall be used with these students.

cf: 1621 Home-Based Schooling
5141.22 Infectious Diseases
5144 Discipline
6158 Independent Study
6183 Home/Hospital Instruction

Legal References:

Education Code, 46113, 48200-48204, 48210-48212, 48220-48232, 48410
Labor Code 1394

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: January 10, 2007

Exclusions from Attendance

The County Board recognizes that circumstances for excluding students are limited. The Superintendent or designee may exclude children in accordance with law.

cf: 5141.22 Infectious Diseases
5141.3 Health Examinations

Legal References:

Education Code, 48210-48214, 49076, 49408, 49451
Health and Safety Code 320-324.5, 3118, 3380-3390

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: January 10, 2007

Student Leave of Absence

Upon request, the County Board may grant student leaves of absence in accordance with law for the purpose of supervised travel, study, training, or work not available to the student under another educational option. Such leave may be granted to a student fifteen (15) years of age or older in the regular program and to a student between the ages of sixteen (16) and eighteen (18) in the Community School.

No more than one percent of the students enrolled and attending a school shall be granted a leave of absence during any school year.

cf: 6358 Independent Study
6184 Continuation Education

Legal References:

Education Code, 48232, 48416
Civil Code 60-63

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: March 14, 2007

Closed Campus

In order to keep our students in a supervised, safe, and orderly environment, the County Board establishes a “closed campus” at all county schools. Once students arrive at school, they must remain on campus until the end of the school day unless they have brought written authorization from their parents/guardians and received permission from school authorities to leave for a specific purpose. Students who leave campus without such authorization shall be classified as truant and subject to disciplinary action.

The administration shall provide educational, recreational, organizational, and social opportunities for students during the lunch period. Students who have finished eating shall always have a quiet place to read or study.

The County Superintendent or designee shall design a system of identification and passes appropriate for use at each school. Each principal shall be expected to enforce mechanisms whereby all students may be accounted for at all times during the school day. Parents/guardians shall be informed whenever students are unaccounted for.

The County Board recognizes that some Colusa County Office of Education classes and programs may be located in school districts with an open campus. In such cases, the Colusa County Office of Education staff shall work closely with district staff to follow education code procedures.

cf: 5113 Absences and Excuses
6145 re. Equal Access
5112.6 Parental Notification, Absences

Legal References:
Education Code, 44808.5

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: February 14, 2007

Parental Notification - Absences

The County Board fully recognizes its responsibility to enforce compulsory attendance in accordance with the law and to provide a safe environment for students while in school. The Board is also aware of the hazards that students may encounter en route to school and is committed to minimizing the possibility of harm to students.

In recognition of this concern, the County Superintendent is directed to develop a procedure for the immediate notification of parents in the event of a student absence that is unaccounted for by instructional staff.

The County Superintendent shall explore all available resources to implement and staff a parental notification program on a daily basis. The County Superintendent is encouraged to solicit the volunteer participation of parent and community groups for this purpose.

Legal References:

Education Code, 35160, 46113, 48200-48204

Adopted: November 10, 1994

Reviewed: January 13, 1999

Reviewed: January 10, 2007

Absences and Excuses

The County Board believes that regular attendance plays a key role in the success a student achieves in school. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged six to eighteen are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use any legal means to correct the problems of excessive absence or truancy.

Excused Absences

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board policy and administration regulations.

At the beginning of each academic year, notification shall be sent to the parents/guardians of all students and to all students in grades seven (7) through twelve (12) informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian.

Insofar as class participation is an integral part of our students' learning experiences, parents/guardians and students shall be asked to schedule medical appointments during nonschool hours. Students shall be excused from school for medical purposes only in emergency situations or when the physician verifies that the appointment can be held only during school hours.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law.

Unexcused Absences/Truancy

The County Board is committed to keeping students in school. The County Superintendent or designee directs that each site administrator shall implement whatever steps s/he deems appropriate to achieve this end, including the use of attendance review boards and/or student study teams.

The County Office of Education will participate in the county School Attendance Review Board (SARB) as allowed by law in order to meet the special needs of students with school attendance or school behavior problems who attend County Office of Education programs.

cf: 5112.1 Exemptions from Attendance
5112.2 Exclusions from Attendance
5121 Grades/Evaluation of Student Achievement
5145.6 Notifications Required by Law
5147 Dropout Prevention
6154 Homework/Makeup Work
6164.5 Student Study Teams
6176 Weekend/Saturday Classes

Legal References:

Code of Regulations Title 5, 306, 420 et seq.
Education Code, 1740, 2550.3, 2550.4, 37201, 37223, 41601, 42238.7,
42238.8, 45194, 46000, 46010-46015, 46100-46118, 46140-46147, 48200,
48205, 48240-48246, 48260-48273, 48292, 48320-48324, 48340-48342.5,
49067
Civil Code 25.9, 34.5, 34.7, 34.8, 34.9, 34.10
Vehicle Code, 13202.7
66 Ops Cal Atty Gen, 245, 249 (1983)

Adopted: November 10, 1994
Review: January 13, 1999
Reviewed: January 14, 2007

Work Permits

The County Board recognizes that many students hold jobs. Part-time jobs can give student needed supplementary income, valuable work experience and enhanced self-esteem.

The County Board also recognizes that all school-aged persons should acquire an education and that work permit laws exist to prevent outside employment from impairing a student's health and educational progress. School authorities have been given the responsibility of issuing work permits to students prior to their acceptance of employment. Minors over twelve (12) and under eighteen (18) years of age wishing to accept employment must first apply for permits to work.

Work permits shall be issued only to the extent that outside employment will not significantly interfere with the student's school work. Approval to work more than twenty (20) hours a week shall be granted only when justified by unusual circumstances and those circumstances shall be clearly stated on the work permit.

Legal References:

Education Code, 48231, 49110-49119, 49130-49135, 49140-49141, 49150.5,
49164
Labor Code 1285-1312, 1391-1399
CDE Management Advisory 1016.89

Adopted: November 10, 1994
Review: January 13, 1999
Reviewed: February 14, 2007

Grades/Evaluation of Student Achievement

The County Board believes that students and parents/guardians have the right to receive course grades or assessments which represent an accurate evaluation of student achievement. Grades and reports shall be based on impartial, consistent observation of a student's work and her/his mastery of objectives and courses of study.

cf: 5113 Absences and Excuses
5123 Promotion/Acceleration/Retention
5124 Communication with Parents/Guardians
5125.3 Challenging Student Records
6154 Homework/Make-up Work

Legal References:

Education Code, 48070, 48431.6, 49066, 49067

Adopted: November 10, 1994

Reviewed: January 13, 1999

Reviewed: February 14, 2007

Reclassification of English Language Learner Students

The Colusa County Board of Education believes that all students have the right to receive an appropriate instructional program that will enable them to achieve to their highest potential. The County Office shall continue to provide additional and appropriate educational services to English Language Learners for the purposes of overcoming language barriers until the English Language Learner has:

- 1) Demonstrated English Language Proficiency comparable to that of the county's average native English Language speakers; and
- 2) Demonstrated significant progress in all areas of the core curriculum.

English Language 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 the regular program and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study (Education Code 52164).

The following criteria shall be used to determine whether an English Language Learner shall be reclassified as fluent English proficient:

1. Assessment of English Language Proficiency, utilizing the California English Language Development Test as the primary criterion, and objective assessment of the student's English reading and writing skills
2. Evaluation of the student's English language proficiency and curriculum mastery by the student's primary teacher and any other staff with direct responsibility for teaching or placement decisions
3. Parent/guardian opinion, consultation, and recommendation during a reclassification interview
4. Comparison of performance and other objective data in basic skills, including performance on the English-Language Arts section of the California Standards Test against an empirically established range of performed basic skills by English Proficient students of the same age for at least two years

Staff shall provide a notice and a description of the reclassification process to parents/guardians, including their right to participate. Staff shall encourage parents'/guardians' participation in the process.

The Superintendent or designee shall provide subsequent monitoring and support for reclassified students, including but not limited to monitoring the performance

of reclassified students in the core curriculum in comparison with their native-English speaking peers, monitoring the rate of reclassification, and ensuring correct classification and placement.

The Superintendent or designee shall develop a process to monitor the effectiveness of the County's program for English Language Learners. The County's program shall be modified as needed to help ensure language and academic success for each English Language Learner.

Procedures for implementing this policy shall follow the guidelines for reclassification of English Learners adopted by the California Department of Education in October 2008.

cf:

Legal References:
Education Code, 52164

Adopted: March 11, 2009

Communication with Parents/Guardians

Because parental involvement contributes greatly to student achievement and conduct, the County Board encourages frequent communication between parents/guardians and teachers by means of parent-teacher conferences, class newsletters, mail, telephone, and school visits by parents/guardians.

As part of this communication, teachers shall provide written progress reports to parents/guardians at regular intervals consistent with school site policies and any special circumstances relating to individual students, and shall encourage parents/guardians to communicate any concerns to the teacher.

cf: 1250 Visits to the Schools
5113 Absences and Excuses
5121 Grades/Evaluation of Student Achievement
5145.6 Notifications Required by Law
6020 Parent Involvement
6146.1 High school Graduation Requirements/Standards of Proficiency
6146.5 Elementary School Promotion/Standards of Proficiency
6162.5 Research/Standardized Testing

Legal References:

Education Code, 48980, 49067, 49069

Adopted: November 10, 1994

Reviewed: January 13, 1999

Revised: April 18, 2007

Student Records

The County Board recognizes the importance of keeping accurate, comprehensive student records as required by law. Information about a student shall be used judiciously in ways that contribute to the student's welfare, in accordance with law.

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

cf: 3580 District Records
5125.1 Release of Directory Information
5125.2 Withholding Grades, Diploma or Transcripts
5125.3 Challenging Student Records

Legal References:

Civil Code, 4600.5
Code of Federal Regulations, Article 99.34, 300.500, 300.501, 300.502,
300.573
Code of Regulations Title 5, 430-438, 16020-16028
Education Code, 48904, 48904.3, 49060-49078
Government Code, 6252-6260
Federal Family Educational Rights and Privacy Act of 1974
20 United States Code 1232g

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: February 14, 2007

Release of Directory Information

The County Superintendent or designee shall determine which individuals, officials or organizations may receive directory information. No information shall be released to a private profit-making entity other than employers, prospective employers, or representatives of the news media as provided by law. Unless prohibited by the parent/guardian in accordance with law, directory information which school officials may disclose consists of the following: student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended.

A parent of a pupil may execute written consent specifying the records to be released and identifying the party or class of parties to whom the records may be released. The recipient of the records may not transmit the information to others without express parental consent.

Telephone numbers shall be released only with express parental consent.

Military services representatives shall have access to directory information in the same manner and under the same conditions available to other approvable entities, in accordance with law.

Legal References:

Education Code, 49061, 49063, 49073, 49073.5, 49603

Adopted: November 10, 1994
Review: January 13, 1999
Revised: March 14, 2007

Awards for Achievement

The County Board encourages excellence as a goal for all students enrolled in County Office programs and wishes to publicly recognize students for unique or exemplary achievements in academic, extracurricular or community service activities. Student awards may include, but are not limited to, verbal recognition, a letter of commendation or a public ceremony.

Legal References:

Education Code, 35160, 35310-35319, 44015
CDE Program Advisories 0620.09

Adopted: November 10, 1994

Reviewed: January 13, 1999

Reviewed: February 14, 2007

Graduation Ceremonies and Activities

High school graduation ceremonies may be held to recognize those students who have successfully completed the required course of study, passed all proficiency standards, and thereby earned the right to receive a diploma. The County Board believes that these students deserve public recognition of their achievement and encourages them to continue the pursuit of learning throughout their lives.

Invocation and/or benedictions shall not be included in graduation ceremonies. Ceremonies or programs involving prayer for graduates may not be sponsored by the Colusa County Office of Education schools or programs.

cf: 1330 Use of School Facilities
5125.2 Withholding Grades, Diploma or Transcripts
5145.2 Freedom of Speech/Expression
6146.1 High School Graduation Requirements/Standards of Proficiency

Legal References:

Education Code, 40014, 48904, 51225.5, 51400-51403, 51410, 51411, 51412
CDE Program Advisories 0615.89. SPB:88/89-11

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: February 14, 2007

Student Conduct

The County Board believes that all students have the right to be educated in a positive learning environment free from disruptions. To maintain such an environment, students, parents/guardians, staff and the Board all must understand and fulfill their responsibilities related to student conduct.

Student Responsibilities

The County Board believes that it is important for students to understand that they have a choice to make regarding their actions and that appropriate conduct benefits both themselves and others. Students are encouraged to freely express their individuality as long as this expression does not infringe upon the rights of others or interfere with the instructional program. Behavior is considered appropriate when students are diligent in study, neat and clean, careful with school property, respectful towards their teachers, and courteous to other students, staff and volunteers. Students are expected to be punctual and regular in attendance and to remain on school premises in accordance with school rules. They are further expected to refrain from profane, vulgar or abusive language.

Students shall receive regular instruction in the rules and regulations related to conduct, according to the policies of the Colusa County Office of Education and each school. Students who violate these rules and regulations may be subject to discipline, suspension, exclusion, expulsion or transfer to alternative programs.

Parent/Guardian Responsibilities

Parent/guardians are expected to comply with laws governing the conduct and education of their children and to cooperate with school authorities regarding their children's behavior.

California law holds parents/guardians liable for any willful student misconduct which results in the death or injury of any student or persons employed by or volunteering for the County Office. Parents/guardians are also liable for any defacement, injury or loss of property belonging to the County Office or to a school employee.

County Office of Education Responsibilities

The County Board is responsible for prescribing behavioral and disciplinary guidelines for students. The County Board shall give certificated staff all reasonable support with respect to student conduct and discipline.

The County Superintendent or designee shall establish procedures necessary to enforce the Board's conduct and discipline policies and shall notify parents/guardians of the availability of these policies and procedures at the beginning of each school year.

The County Superintendent or designee shall ensure that parents/guardians are annually informed of their liability for death, personal injury or County Office of Education property damage resulting from willful student misconduct.

The County Superintendent or designee shall inform parents/guardians that the County Office of Education will not be responsible for damage caused by any student to any item of personal property which another student brings to school.

The County Office of Education shall establish and enforce school rules that foster safety and good citizenship and conform with district procedures. The program administrator shall ensure that students are informed of these rules when they enroll and at the beginning of each school year.

Teachers shall establish and enforce classroom rules that facilitate safety and effective learning. They shall cooperate with other certificated staff in enforcing general school rules and helping students to understand the benefits of choosing behaviors that show respect for other people and property.

- cf: 3515.4 Recovery for Property Loss or Damage
- 5112.2 Exclusions
- 5131.1 Bus Conduct
- 5137 Positive School Climate
- 5142 Safety
- 5144 Discipline
- 5144.1 Suspension/Expulsion/Due Process
- 5145.2 Freedom of Speech/Expression: Publications Code
- 5145.6 Notifications Required by Law
- 5145.7 Sexual Harassment
- 6184 Continuation Education

Legal References:

- Education Code, 35181, 35291, 44807, 48900-48925, 48908, 48980-48981
- Civil Code 1714.1
- Code of Regulations, Title 5 300-307
- United States Code, Title 42, 2000h-2 et seq. Title IX, 1972 Education Act Amendments

Adopted: November 10, 1994
Review: January 13, 1999
Revised: April 18, 2007

Vandalism, Theft, and Graffiti

The County Board considers vandalism a very serious matter. Vandalism includes the negligent, willful, or unlawful damaging or theft of any county-owned real or personal property, including the writing of graffiti.

Any County Office of Education student who commits an act of vandalism shall be subject to disciplinary action and also may be prosecuted through other legal means.

cf: 3515.4 Recovery for Property Loss or Damage
5144.1 Suspension and Expulsion/Due Process

Legal References:

Education Code, 48900, 48904, 48904.3
Civil Code 1714.1
Code of Regulations Title, 5 305
Government Code 53069.5
Penal Code 594, 640.5, 640.6

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: March 14, 2007

Drug and Alcohol-Free Environment

Because the use of alcohol and 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 County Board intends to keep schools free of alcohol and other drugs.

The County Board desires that every effort be made to reduce the chances that our students will begin or continue the use of alcohol and other drugs. Alcohol, like any other controlled substance, is illegal for use by minors. The County Board or designee shall develop a comprehensive prevention program that includes instruction, intervention, recovering student support, and enforcement/discipline. The County Board or designee shall clearly communicate to students, staff and parents/guardians all County Office of Education policies, regulations, procedures and school rules related to this prevention program. Special efforts shall be made to ensure that these materials are understood by parents/guardians and students of limited literacy or limited English proficiency.

Recognizing that keeping schools free of alcohol and other drugs is a concern common to the schools, workplace and community, the County Board supports cooperation among schools, parents/guardians, law enforcement and other appropriate community organizations involved in preventing alcohol and other drug abuse.

To obtain the widest possible input and support for County Office of Education policies and programs, the County Superintendent shall actively promote partnerships with local agencies to make recommendations related to the prevention of alcohol and other drug abuse.

The County Board also encourages the use of site-level advisory groups in this area.

Instruction

The County Superintendent shall provide preventative instruction which helps students to avoid the use of alcohol or other drugs and teaches students how to influence their peers to avoid and/or discontinue the use of alcohol or other drugs. Instruction shall be designed to answer students' questions related to alcohol and other drugs.

The instructional programs will help students obtain and use current and accurate information, develop and maintain a positive self-concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and other drugs.

The curriculum will be K-12, comprehensive and sequential in nature and suited to meet the needs of students at their respective grade levels.

The County Board encourages staff to display attitudes which make them positive role models for students with regard to alcohol and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

All instruction and related materials shall stress the concept of “no unlawful use” of alcohol or other drugs and shall not include the concept of “responsible use” when such use is illegal.

Intervention

The County Board recognizes that there are students on campuses who use alcohol and other drugs and can benefit from intervention. The County Board supports intervention programs that include the involvement of students, parents/guardians and community agencies/organizations.

The County Board finds it essential that school personnel be trained to identify symptoms which may indicate use of alcohol and other drugs. The responsibilities of staff in working with, intervening, and reporting students suspected of alcohol and other drug use shall be clearly defined in administrative regulations.

Administrative regulations shall also identify the roles and responsibilities of law enforcement staff as reflected in procedures which the County Office of Education and law enforcement agency have established for the coordinated alcohol and drug prevention/intervention system. Law enforcement staff shall receive copies of all Board policies, regulations, procedures and school rules related to this program.

Students and parents/guardians shall be informed about the signs of alcohol and other drug use and about appropriate agencies offering counseling.

Nonpunitive Self-Referral

The County Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. If the student is uncomfortable doing this, s/he is encouraged to ask a friend to discuss the problem with a parent/guardian or staff member. Students who disclose past use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be punished or disciplined for such past use.

Recovering Student Support

The County Board recognizes the presence of recovering students in the schools and the necessity to support these students in avoiding reinvolvement with alcohol and other drugs. The County Board shall provide ongoing school activities which enhance recovery.

Enforcement/Discipline

The County Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the County Office is responsible for the conduct and well-being of students. Students possessing, selling and/or using alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures which may result in suspension or expulsion.

School authorities may search students and school properties for the possession of alcohol and other drugs as long as such searches are conducted in accordance with law, Board policy and administrative regulations.

Confiscation of Pagers and/or Cellular Phones

Because electronic signaling devices (pagers) may facilitate illegal drug transactions, the possession or use of such devices by students is prohibited on school premises, at all school/County Superintendent sponsored activities, and at any time while students are under the supervision and control of County Superintendent employees. An exception shall be made only when the County Superintendent or designee has determined that the pager is essential for the student's health. Any pager so allowed shall be used only for health purposes.

The County Superintendent or designee shall confiscate pagers from students.

Because cellular phones may facilitate illegal drug transactions, the use of such devices by students is prohibited on school premises, at all school/County Superintendent sponsored activities, and at any time while students are under the supervision and control of County Superintendent employees. Any cellular phone must be turned off during regular school hours. An exception shall be made only when the County Superintendent or designee has determined that the cellular phone is essential for the student's health. Any cellular phone so allowed shall be used only for health purposes.

The County Superintendent or designee shall confiscate cellular phones from students who do not follow this policy.

cf: 5131.62 Tobacco
5144.00 Discipline

5145.12 Search and Seizure

Legal References:

Education Code, 44049, 48900, 48900.5, 48901, 48901.5, 48902, 48909, 49423, 49480, 49602, 51202, 51203, 51210, 51220, 51260, 51262, 51264, 51265, 51266, 51268.

Health and Safety Code, 11032, 11353.6, 11357, 11361.5, 11372.7, 11802, 11965-12969.5, 11998-11998.3, 11999-11999.3

Penal Code, 13864

Vehicle Code, 13202.5

Welfare and Institutions Code, 828, 828.1

Drug-Free Schools and Community Act of 1986, Public Law 99-570

Drug-Free Schools and Community Act Amendments of 1989, H.R.3614

Adopted: November 10, 1994

Review: January 13, 1999

Revised: April 18, 2007

Tobacco

Tobacco and nicotine present a health hazard, which can have serious consequences both for the user and nonuser. Students shall not be allowed to use or possess tobacco or nicotine products or devices on school property or during school hours, at school sponsored events, or under the supervision of County Superintendent employees. Students who are enrolled in a medically approved smoking cessation program must provide confirmation by a medical doctor to be allowed on school property with cessation products. Students who violate this policy shall be subject to disciplinary procedures, which may result in suspension from school.

The County Superintendent shall provide instruction regarding the effects of tobacco and nicotine on the human body and shall take steps to discourage student use of those products.

cf: SP 0440.00 Safety & Health
SP 3514.00 Environmental Safety
SP 5144.10 Discipline
BP 5131.00 Student Conduct
BOP 5145.12 Search & Seizure of Students, Student Belongings, & Vehicles

Legal Reference:

Education Code, 44049, 48900, 45900.5, 48901, 48909, 51202, 51203, 51260
Health & Safety Code, 104420, 104559, 104460

Adopted: November 10, 1994
Reviewed: January 13, 1999, March 14, 2007
Revised: April 10, 2013, September 12, 2018

Anabolic Steroids

The County Board recognizes that the use of anabolic steroids presents a serious health hazard to students. The County Superintendent or designee shall make every effort to ensure that students do not begin or continue the use of anabolic steroids.

Teachers of science, health, physical education and drug education shall include a lesson on this hazard in instruction programs for grades 7-12.

Legal Reference:
Education Code, 51262
Civil Code 1812.97

Adopted: November 10, 1994
Review: January 13, 1999
Revised: April 18, 2007

Weapons and Dangerous Instruments

The County Board desires students at school to be free from the fear and danger presented by firearms and other weapons. The County Board therefore prohibits students from possessing weapons, replicas of weapons, or dangerous instruments of any kind in school buildings, on school grounds or buses, or at any school-related or school-sponsored activity away from school.

Any County Office of Education employee may confiscate any weapon, dangerous instrument or replica from any person on school grounds under the power granted to the County Board to maintain order and discipline in the schools and to protect the safety of students, staff, and the public.

The County Board recognizes that students sixteen (16) or older may carry tear gas or tear gas weapons such as pepper spray for the purpose of self-defense. Such students shall be subject to suspension and/or expulsion, if they cause injury by improperly using such items at school or school activities for any purpose other than self-defense.

Zero Tolerance

Mandatory Recommendation and Mandatory Expulsion

The principal, superintendent or designee shall recommend that the Board expel any student found at school or at a school activity (as verified by a County Office of Education employee) to be possessing, or selling or otherwise furnishing or conspiring to furnish a firearm as defined below:

- 1) handguns, rifles, or shotguns
- 2) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
- 3) the frame or receiver of any weapon described above
- 4) any firearm muffler or firearm silencer
- 5) any destructive device, any explosive, incendiary, or poison gas including:
 - (a.) bomb,
 - (b.) grenade,
 - (c.) rocket having a propellant charge,
 - (d.) missile having an explosive or incendiary charge,
 - (e.) mine, or
 - (f.) similar device.
- 6) any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter
- 7) any combination or parts either designed to or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to school. 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.

The County Office of Education shall notify law enforcement authorities about any student possession of weapons and any acts of assault by a student with a firearm or other deadly weapon or instrument.

cf: 3514 Safety
4158, 4258, 4348 Employee Security
5144.1 Suspension and Expulsion/Due Process

Legal References:

Education Code, 35291, 48900, 48902, 48915, 48916, 49330, 49331, 49332,
49333, 49334
Penal Code, 245, 417.2, 417.4 626.9, 626.10, 12020-12028.5, 12403.7,
12403.8
Public Law 103-382
Gun Free Schools Act
Title 20 U.S. Code

Adopted: November 10, 1994
Revised: January 13, 1999
Reviewed: April 18, 2007

Academic Honesty

The County Board believes that personal integrity is basic to all solid academic achievement. Students will reach their full potential only by being honest with themselves and with others.

The County Board expects students to respect the educational purpose underlying all school activities. All students need to prove to themselves that they can do successful work as a result of their own efforts. The County Board expects that students will not cheat, lie, or plagiarize.

The County Board recognizes that students are more inclined to cheat when there is little likelihood of getting caught. Each school and classroom shall provide an environment that encourages honesty. Students must know that their teachers will not ignore or condone cheating and that anyone discovered cheating will be penalized.

When an incidence of cheating occurs, parents/guardians shall be contacted and asked to make sure that their children have adequate time to study at home.

Teachers shall instruct students in research and study skills appropriate to each subject, so that all students may feel confident that if they prepare, they can succeed without cheating. Students shall be encouraged to see tests as a means for finding out what they have learned. They shall be reminded that students who cheat on tests are cheating themselves.

cf: 5144 Discipline

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: April 18, 2007

Dress and Grooming of Students

The County Board believes that appropriate dress and grooming contribute to a productive learning environment. The County Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students have the right to make individual choices from a wide range of clothing and grooming styles, but they must not present a health or safety hazard or a distraction which would interfere with the educational process.

When gangs constitute a danger to students, the County Superintendent or designee may restrict student dress and grooming as necessary to comply with Board policy related to gang activity.

Students and parents/guardians shall be informed about the school dress code at the beginning of the year and at any time the dress code is revised. A student who violates the dress code shall be subject to appropriate disciplinary action.

The County Board recognizes that in schools where the students wear school uniforms, incidences or inappropriate apparel, peer rivalry and theft are reduced. When local circumstances indicate the existence of serious problems associated with student dress, school sites may implement a voluntary uniform dress policy provided there is demonstrated parental support. School sites may request County Board approval for a required uniform dress policy if conditions warrant such action and a source of funding is available for uniforms for students whose parents/guardians cannot afford to pay for them.

cf: 0420 School-Based Management/Site Councils
4119.22 Dress and Grooming (staff)
5145.2 Freedom of Speech/Expression
5136 Gangs
5144 Discipline

Legal References:
Education Code 48907, 49066
Code of Regulations Title 5, 302

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: May 9, 2007

Gangs

The County Board desires to keep County Office of Education schools, programs and students free from the threats or harmful influence of any groups or gangs which advocate drug use, violence or disruptive behavior. The County Superintendent or designee shall take steps to deter gang intimidation of students and confrontations between members of different gangs. S/he shall exchange information and establish mutually supportive efforts with local law enforcement authorities.

To further discourage the influence of gangs, the County Superintendent or designee shall ensure that school rules of conduct are enforced and that all students have access to counselors as needed.

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

Prevention Education

The County Board realizes that many students become involved in gangs without understanding the consequences of gang membership. Early intervention is a key component of efforts to break the cycle of gang membership. Therefore, gang violence prevention education in the schools shall start with students in the third grade.

The California Legislature has declared that gang-related apparel is hazardous to the health and safety of the school environment. The County Board recognizes that there is evidence of a gang presence in the County Office of Education schools and programs that may disrupt or interfere with school activities. The County Board has determined the County Superintendent or designee may establish reasonable dress code regulations prohibiting students from wearing gang-related apparel when necessary for the health and safety of the school environment.

cf: 3515 School Safety and Security
5131.4 Campus Disturbances
5131.7 Weapons and Dangerous Instruments
5132 Dress Code

Legal References:
Education Code, 35183

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: May 9, 2007

Positive School Climate

The County Board desires to provide an orderly and caring learning environment in which students feel comfortable, share responsibility for maintaining a positive school climate, and take pride in their school and their achievements. County Office of Education staff shall encourage and reward success and achievement, participation in community projects, and positive student conduct.

The County Office of Education shall encourage attitudes and behaviors that promote mutual respect and harmonious relations. Schools and programs shall promote nonviolent conflict resolution techniques and provide students opportunities to voice their concerns about school policies and practices. The County Superintendent or designee may initiate student courts, campus beautification projects, buddy systems, vandalism prevention campaigns, and other programs in which students may identify and solve problems that affect their school.

Students shall not bully other students or use vulgar, obscene or fighting words. Students who do so shall be subject to appropriate counseling and discipline in accordance with law.

The County Board encourages classroom use of cooperative learning strategies that foster positive social interactions among students from diverse backgrounds. The County Office of Education shall provide instruction and counseling designed to promote positive racial and ethnic identity, help students understand diverse cultures, teach them to think critically about racial bias, and show them how to deal with discriminatory behavior in appropriate ways.

cf: 5126.00 Awards for Achievement
5136.00 Gangs
5138.00 Bullying Prevention
5145.20 Freedom of Speech/Expression: Publications Code
5145.30 Nondiscrimination
5145.70 Sexual Harassment
6141.00 Curriculum Development and Evaluation
6161.10 Selection and Evaluation of Instructional Materials

Legal References:

Education Code, 35160, 35160.1, 48907, 48950

Adopted: November 10, 1994
Review: January 13, 1999
Reviewed: April 18, 2007
Revised: November 12, 2014

Bullying Prevention

The County Board believes that all students have a right to a safe and healthy school environment. The district, schools, and community have an obligation to promote mutual respect, tolerance, and acceptance.

The County Board will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate, harass, or bully another student through words or actions. Whether actual or virtual (e.g., via social media), such behavior includes: direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

The County Board expects students and/or staff to immediately report incidents of bullying to the principal or designee. Staff who witness such acts shall take immediate steps to intervene when safe to do so. Each complaint of bullying shall be promptly investigated. This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus or via social media, and during a school-sponsored activity.

To ensure bullying does not occur on school campuses, the County Superintendent will provide staff development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build each school's capacity to maintain a safe and healthy learning environment.

Teachers shall discuss this policy with their students in age-appropriate ways and assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

Each school will adopt a Student Code of Conduct to be followed by every student while on school grounds, or when traveling to and from school or a school-sponsored activity, and during lunch period, whether on or off campus or via social media, and during a school-sponsored activity.

The Student Code of Conduct includes, but is not limited to:

- Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.
- Students are expected to immediately report incidents of bullying to the site administrator or designee.
- Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

- If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact site administrator or the County Superintendent. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, students and their parents will receive a summary of this policy prohibiting intimidation and bullying: at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.
- The school will make reasonable efforts to keep a report of bullying and the results of investigation confidential.
- Staff who witness acts of bullying shall take immediate steps to intervene when safe to do so. People witnessing or experiencing bullying are strongly encouraged to report the incident; such reporting will not reflect on the target or witnesses in any way.

cf: 5136.00 Gangs
5137.00 Positive School Climate
5145.20 Freedom of Speech/Expression: Publications Code
5145.30 Nondiscrimination
5145.70 Sexual Harassment

Legal References:

Education Code, 234 (the Safe Place to Learn Act), 32260-32262, 32280-32289, 46600, 48900, 66302

Health Care and Emergencies

The County Superintendent recognizes the importance of taking appropriate action whenever an accident or illness threatens the safety, health or welfare of a student at school or during school-sponsored activities.

Emergency Information

To facilitate immediate contact with parents/guardians when an accident or illness occurs, the County Board requires parents/guardians to furnish the schools with the current information specified below:

1. Home address and telephone number.
2. Parent/guardian's business address and telephone number.
3. Name, address and telephone number of a relative or friend who is authorized by the parent/guardian to care for the student in cases of emergency when the parent/guardian cannot be reached.
4. Local physician to call in case of emergency.

Under Education Code 49407, no County Office of Education school or program shall be held liable for the reasonable treatment of a student without the consent of the parent/guardian when the student requires reasonable medical treatment and the parent/guardian cannot be reached, unless a written objection to medical treatment has been filed with the County Office of Education.

Resuscitation

County Office of Education employees are expected to respond to emergency situations without discrimination. If any student needs resuscitation, qualified staff shall make every effort to resuscitate him/her.

The County Superintendent or designee shall ensure that all parents/guardians are informed of this policy.

Legal References:

Education Code, 49407, 49408

Adopted: November 10, 1994

Review: January 13, 1999

Revised: August 8, 2007

Accidents

Although the County Office of Education makes every reasonable effort to prevent student accidents and injuries, accidents occur. The County Superintendent or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible and that parents/guardians are notified of accidents.

Universal precautions shall be observed whenever it is possible that students, employees or others may have contact with blood or body fluids as a result of the accident. Supplies for universal precautions, including medical examination gloves shall be available at each school or classroom site. These supplies shall be placed in a high visibility location for ease of access in an emergency.

Mouthpieces, resuscitation bags or other ventilation devices shall be available at each school or classroom site in the event that resuscitation is necessary.

County Office of Education staff shall appropriately report and document student accidents.

cf: 3530 Insurance Management

4119.42 Exposure Control Plan for Bloodborne Pathogens

4119.43 Universal Precautions

5142 Safety

5143 Insurance

Legal References:

Education Code, 32040-32044, 49300-49307, 49408, 49409, 49470, 49471,
49472, 49474, 51202

Code of Regulations, Title 8, 5193

Adopted: November 10, 1994

Review: January 13, 1999

Revised: July 11, 2007

Administering Medication

The County Board recognizes that students sometimes may need to take prescribed medication during the school day in order to be able to attend school without jeopardizing their health. In such cases, when the County Office of Education has received written statements from the student's physician and parent/guardian as required by law, designated personnel shall assist the student in taking the medication.

Administration of prescribed medication for pupils shall follow all requirements of Ed Code Sections 49423 through 49423.6.

Anaphylactic Injections

The County Board recognizes that some students have allergies of such severity that they may require an emergency anaphylactic injection during the course of the school day. Parents/guardians who are aware of this foreseeable need may ask the County Office of Education to provide such injections in accordance with administrative regulations.

County Office of Education staff who may be required to administer anaphylactic injections shall receive training from qualified medical personnel. They will be authorized to administer the injections within the legal provisions of law and afforded appropriate liability protection.

cf: 5141 Health Care and Emergencies

Legal References:

Education Code, 49408, 49423, 49423.5, 49426, 49480
Business and Professions Code, 2700-2837, 2726, 2727

Adopted: November 10, 1994

Review: January 13, 1999

Revised: June 13, 2007

Infectious Diseases

The County Board recognizes its dual responsibility to protect the health of students from risks posed by infectious diseases and to uphold the right of students to a free and appropriate education. The County Office of Education requires all staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and prevent the spread of all infectious disease.

The admission of a student with a disease that is contagious within the school setting shall be determined by the County Superintendent or designee in accordance with standard procedures. The County Office of Education shall exclude students only in accordance with law.

Students with Bloodborne Pathogen Infections

The County Board recognizes that human immunodeficiency virus (HIV) and hepatitis B Virus (HBV) are bloodborne pathogen infections and not casually transmitted. Children with bloodborne pathogen infections are entitled to attend school and receive a free and appropriate public education. The sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

Parents/guardians are encouraged to inform the County Superintendent or designee if their child has HIV/AIDS so that County Office of Education staff may keep the student's parents/guardians informed of any outbreak of disease at school. The County Office of Education will work cooperatively with the student's parent/guardian and physician to minimize the child's exposure to other diseases in the school setting.

The County Board desires to be supportive of students infected with bloodborne pathogens and to help their families cope with difficulties they may face. The County Board believes that schools can play an important role in educating the school community about the nature of bloodborne pathogens and alleviating fears about their transmission.

- cf: 4119.43 Universal Precautions
- 4119.42 Exposure Control Plan for Bloodborne Pathogens
- 5112.2 Exclusions from Attendance
- 5141.23 Infectious Disease Prevention
- 5141.26 Tuberculosis Testing
- 5141.3 Health Examinations
- 6158 Independent Study
- 6159 Individualized Education Program
- 6183 Home/Hospital Instruction

Legal References:

California Constitution, Article 1, Section 1
Civil Code, 56-56.37, 1798-1798.76
Education Code, 48210-48214, 49073-49075, 49076, 49403, 49405,
49406, 49408, 49450, 49451, 49602
Health and Safety Code, 199.20, 199.21, 199.24, 199.30-199.40, 3118,
3380-3390, 3400-3409
United States Code, Title 20, 1232g, 1400 et seq.
United States Code, Title 29, 794 Section 504 of the Rehabilitation
Act of 1973
CDE Program Advisories, 0509.86, 1016.89

Adopted: November 10, 1994
Review: January 13, 1999
Reviewed: May 9, 2007

Infectious Disease Prevention

The County Board recognizes its responsibility to consistently take precautions to prevent the spread of infectious diseases. A comprehensive approach to disease prevention requires the cooperation of the home and the community.

All students and employees shall be informed of the universal precautions to be used whenever anyone is exposed to blood or other body fluids through injury or accident. Science laboratory instruction shall be designed to protect students from contact with body fluids and with contaminated needles, sharps and other objects.

cf: 1020 Youth Services
4119.42 Exposure Control Plan for Bloodborne Pathogens
4119.43 Universal Precautions
5141.1 Accidents
5141.31 Immunizations
6142.2 AIDS Prevention Instruction

Legal References:

Education Code, 49403, 51202
Code of Regulations, Title 8, 5193
Code of Regulations, Title 17, 2500-2508
CDE Program Advisories, 0509.86, 1016.89

Adopted: November 10, 1994
Review: January 13, 1999
Revised: June 13, 2007

Specialized Health Care Services

The County Board is aware that some students require specialized physical health care services during the school day in order to attend school. Such services shall be provided when adequate resources are available, when the County Superintendent or designee has determined that the services will fill the student's legitimate needs, and in compliance with applicable laws and regulations.

Trained and qualified school personnel shall perform these routine services under the supervision of a school nurse, public health nurse or licensed physician in accordance with law.

cf: 0430 Comprehensive Local Plan for Special Education
3530 Insurance Management

Legal References:

Education Code, 49423.5
Code of Regulations, Title 5, 3051.12
34 Code of Federal Regulations, 300.13 (b)(10)

Adopted: November 10, 1994

Review: January 13, 1999

Revised: June 13, 2007

Tuberculosis Testing

The County Board recognizes that tuberculosis poses a public health threat. Treatment of active cases of this disease is the most effective means of controlling its spread.

The County Public Health officer, therefore, requires tuberculosis testing and follow-up, if appropriate, before students enter school.

The County Superintendent or designee may require a tuberculosis skin test when qualified medical personnel reasonably suspect that a student has active tuberculosis. If there is an outbreak of tuberculosis at any school, the County Superintendent or designee may require all students at the school to undergo tuberculosis skin tests.

Students known to have had a positive tuberculosis skin test shall be excluded from school until they provide evidence of a follow-up x-ray and appropriate medical care or are no longer suspected of having active tuberculosis.

All County Office of Education staff shall receive information on how tuberculosis is spread and how it can be prevented and treated.

cf: 4119.43 Universal Precautions
5112.2 Exclusions from Attendance
5141.22 Infectious Diseases
5141.23 Infectious Disease Prevention
5141.3 Health Examinations

Legal References:

Education Code, 48211, 49450, 49451
Health and Safety Code, 199.81, 199.82, 3118, 3400-3409

Adopted: November 10, 1994
Review: January 13, 1999
Revised: June 13, 2007

Health Examinations

The County Board recognizes the importance of periodic health examinations conducted according to state health regulations.

To determine the health status of students, facilitate the removal of handicaps to learning, and determine whether special adaptations of the school program may be necessary, the County Board shall require that periodic examinations be conducted which include tests for vision, hearing and scoliosis. All personnel employed to examine students shall exercise proper care of each student being examined and shall ensure that the examination results are kept confidential.

A parent/guardian may annually file a statement with the principal withholding consent to any physical examination of his/her child. The child shall be exempt, but shall be subject to exclusion due to a suspected contagious or infectious disease.

The Assistant Superintendent of each County Office program shall notify parents/guardians of the rights of students and parents/guardians relating to health examinations.

The County Board may from time to time require reports regarding the numbers of students found to have physical problems and the effort made to correct them.

The County Superintendent or designee shall develop the necessary procedures to implement this policy.

Vision

Students shall have their vision tested by qualified personnel authorized by the County Office of Education.

Students shall have their vision examined upon first enrollment in elementary school. Further examinations shall take place every three (3) years until the student has completed 8th grade. The results of the vision appraisal shall be entered into the student's health record. All students shall be tested for visual acuity. Color vision shall be tested once and only in male students. External observations of the student's eyes, visual performance and perception shall be done by the school nurse and the classroom teacher.

The above evaluation of a student's vision may be waived at the parent/guardian's request if the parent/guardian presents a certificate from either a medical doctor or an optometrist stating the results of an examination of the student's vision including visual acuity, and, in male children, color vision.

Visual defects, or any other defects, found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action be

taken to correct or cure the defect. The written report shall not include a referral to any private practitioner.

The student may be referred to a public clinic, or diagnostic and treatment center operated by a public hospital or by the state, county or city department of public health.

Scoliosis Screening

The County Board shall provide for the screening of students for the condition known as scoliosis. Every female student in the 7th grade and every male student in the 8th grade shall be screened. The screening shall follow the standards established by the California Department of Education and shall be performed by qualified personnel as specified by law. (Education Code 49452.5)

Persons performing the screening shall not solicit, encourage or advise treatment of the student for scoliosis. The same shall apply to any other condition discovered in the course of the screening for scoliosis. (Education Code 49452.5)

The parent/guardian of any student suspected of having scoliosis shall be notified. The notice shall include an explanation of scoliosis, the significance of treatment at an early age, and the public services available for treatment. A referral to the appropriate community resources for diagnosis and treatment shall be made.

cf: 5111 Admission
5141.22 Infectious Diseases
5141.23 Infectious Disease Prevention
5141.31 Immunizations

Legal References:

Education Code, 48211-48214, 49400-49410, 49450-49457
Health and Safety Code, 3380-3389, 3400-3409
Code of Regulations, Title 17, 6000-6075
Code of Regulations, Title 5, 590-596

Adopted: November 10, 1994
Review: January 13, 1999
Revised: June 13, 2007

Immunizations

To be admitted to school, children must be fully immunized in accordance with law. Children shall be excluded from school or exempted from immunization requirements only as allowed by law.

The County Board recognizes that a number of children living within the County have not been immunized and have no usual source of medical care. In order that these children may be enrolled in County Office programs without delay, the County Superintendent or designee shall arrange for qualified medical personnel to administer the immunizations at school in accordance with law. Immunizations shall not be given without parental consent.

cf: 1400 Relations between Other Governmental Agencies and the schools
5112.2 Exclusions from Attendance
5141.22 Infectious Diseases
5141.3 Health Examinations
5145.6 Notifications Required by Law

Legal References:

Education Code, 49403, 48980
Health and Safety Code, 3380-3390, 3400-3456
Code of Regulations, Title 17, 6000-6075

Adopted: November 10, 1994
Review: January 13, 1999
Revised: July 11, 2007

Head Lice

Because head lice are not uncommon and are easily spread, the County Superintendent or designee shall send information about the treatment and control of head lice to parents/guardians as needed to prevent the spread of infestations. As part of the health curriculum, teachers shall stress the importance of preventive measures.

The County Board recognizes that responsibility for the treatment of head lice rests with the home. When lice or untreated nits are found, the student shall be sent home as soon as possible with proper parental notification. Students shall not be allowed to attend school until a head check reveals no lice or nits.

Staff shall make every effort to maintain the privacy of students identified as having head lice and excluded for treatment.

When a site has a student identified with head lice, all students at that site will be checked by staff for head lice.

cf: 5112.2 Exclusions from Attendance

Legal References:

Education Code, 48210-48214, 49451

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: June 13, 2007

Child Abuse Reporting Procedures

The County Board recognizes that the County Office of Education has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The County Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies.

The County Superintendent or designee shall establish regulations for use by employees in identifying and reporting child abuse.

County Office of Education employees shall report known or suspected incidences of child abuse in accordance with County Office of Education regulations and state law. Employees shall fully cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

The County Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel.

cf: 3514 Safety
4112.9 Signed Statements
5141.41 Child Abuse Prevention Programs
5142 Safety
5145.7 Sexual Harassment

Legal References:

Education Code, 33308.1, 44690-44691, 48906
Penal Code, 273a, 11164-11174.3, 11165-11165.15, 11166-11170, 11172,
11174.3
Welfare & Institutions Code, 600-601.2 ,15630-15637
Statutes Other Than Code Chapter 1102, Statutes of 1991, Section 6
CDE Legal Advisories, 0514.93

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: July 11, 2007

Child Abuse Prevention Programs

Every child has the right to live free of physical and emotional abuse, including neglect and sexual assault. The County Board recognizes that such abuse has severe consequences for the child, sometimes resulting in the child's own violent behavior or drug addiction. Schools are in a position to promote the prevention of child abuse and its reoccurrence, and to reduce the general vulnerability of children.

Age-appropriate and culturally-appropriate child abuse prevention curriculum may be a component of health and safety instruction in County Office of Education programs. This curriculum shall explain a student's right to live free of abuse, inform students of available support resources, teach students how to obtain help and disclose incidents of abuse, and provide training in self-protection techniques.

The County Superintendent or designee shall provide coordinated training for teachers who will use the child abuse prevention curriculum, including instruction in the physical and behavioral indicators of abuse, crisis counseling techniques, community resources, rights and responsibilities to report abuse or neglect, and care for a child's needs after a report is made.

The County Superintendent or designee shall seek to incorporate community resources into the County Office of Education's child abuse prevention programs. To the extent feasible, the County Superintendent or designee shall also use these community resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

Parents/guardians shall receive prior notice of child abuse prevention instruction whenever such instruction will include family life or sex education for which notification is required by law.

cf: 1020 Youth Services
5141.4 Child Abuse and Neglect (Reporting Procedures)
6142.1 Family Life/Sex Education

Legal References:

Welfare & Institutions Code, 18975-18979

Adopted: November 10, 1994

Review: January 13, 1999

Reviewed: June 13, 2007

At-Risk Youths

The County Board believes that, in order to benefit from a learning environment, students must be as free as possible from the dilemma imposed by personal and societal problems. Danger signs for the various at-risk categories must be taken seriously. County Office of Education personnel must be concerned for the personal development of students, as well as their academic development.

The County Superintendent or designee shall investigate and recommend programs which will address the needs of at-risk youths. At-risk youths include, but are not limited to, those students who abuse drugs or alcohol, are suicidal, exhibit serious attendance problems, drop out of school, are abused or disadvantaged children, or are pregnant or parenting minors.

cf: 5131.60 Drug and Alcohol-Free Environment
5131.62 Tobacco
5141.40 Child Abuse Reporting Procedures
5141.52 Suicide Prevention
5146.00 Married/Pregnant/Parenting Students
5147.00 Dropout Prevention Program
5148.00 Child Care

Legal References:
Education Code 35160

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: June 13, 2007

Suicide Prevention

Suicide is the second leading cause of death for youth and young adults 10 to 24 years of age.

The County Board finds it imperative that this tragic situation be openly addressed and that all staff, students and parents be made aware of warning signs, procedures by which they may help suicidal students at this especially vulnerable age, and the needs of high risk groups. These groups could include, but are not limited to, youth bereaved by suicide; youth with disabilities, mental illness, or substance use disorders; youth experiencing homelessness or in out-of-home settings, such as foster care; and lesbian, gay, bisexual, transgender, or questioning youth.

The County Board recognizes that all suicide threats must be taken seriously for all ages of students. The County Superintendent or designee shall provide all staff members with proven alternative training for prevention and intervention in low-risk and in high-risk crisis situations. Training materials shall include how to identify appropriate mental health services, both at the school site and within the larger community, and when and how to refer youth and their families to those services. Training shall also include guidelines on assessing the seriousness of a student's risk for suicide, and on determining the appropriate postvention strategy (a crisis intervention strategy designed to reduce the risk of suicide and suicide contagion, provide the support needed to help survivors cope with a suicide death, address the social stigma associated with suicide, and disseminate factual information after the suicide death of a member of the school community).

The County Board believes that school staff, students and parents all can contribute significantly towards the prevention of adolescent suicide. However, school employees are directed to act only within the authorization and scope of the employee's credential or license. This policy neither authorizes nor encourages a school employee to diagnose or treat mental illness unless the employee is specifically licensed and employed to do so.

The County Office of Education will provide avenues for suicide prevention training that shall be reviewed with staff annually.

Legal References:

Education Code, 8804, 44046, 49604, 51881, 54746

Adopted: November 10, 1994

Reviewed: January 13, 1999, August 8, 2007, October 8, 2014, July 12, 2017

Safety

The County Board places a high priority on safety and on the prevention of student injury. Administrators and staff are responsible for the conduct and safety of students from the time they come under school supervision until they leave school supervision, whether on school premises or not. The County Superintendent or designee shall establish regulations and procedures as necessary to protect students from dangerous situations.

- cf: 3514 Environmental Safety
3515 School Safety and Security
3515.2 Intruders on Campus
5112.6 Parental Notification - Absences
5131.1 Bus Conduct
5141 Health Care and Emergencies
5141.1 Accidents
5144 Discipline
6114 Emergencies and Disaster Preparedness Plan
6145.2 Interscholastic Competition
6161.3 Toxic Art Supplies

Legal Reference:

Education Code, 32000-32004, 32020, 32030-32034, 32040, 32050, 39140-39157, 40048, 44807, 44808, 44808.5, 49068.5, 49341, 51202
Government Code, 810-996.6, 815, 835, 4450-4458
Health and Safety Code, 24450-24455
Penal Code, 14200-14213
Public Resources Code, 5411
Code of Regulations, Title 5, 202, 5531, 5552, 5570, 14103
Code of Regulations, Title 24, 4-314
Office of the State Architect Advisories, 0400.90

Adopted: November 10, 1994
Review: January 13, 1999
Revised: July 11, 2007

Discipline

The County Board desires to prepare youth for responsible citizenship by fostering self-discipline and personal responsibility. The County Board perceives that good planning, a good understanding of each child, and parent involvement can minimize the need for discipline. Teachers shall use positive conflict resolution techniques and avoid unnecessary confrontations. When misconduct occurs, staff shall make every effort to identify and correct the causes of the student's behavior.

County Superintendent policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules in accordance with law to meet the school's individual needs.

Staff shall enforce disciplinary rules fairly and consistently, without regard to race, creed, color or gender.

cf: 4158 Employee Security
5131 Student Conduct
5142 Safety
5144.1 Suspension and Expulsion/Due Process
6164.5 Student Study Teams
6159.4 Behavioral Interventions

Legal References:

Education Code, 35146, 35291, 35291.5, 35291.7, 37223, 44807.5, 48630-48644.5, 48900-48925, 48980-48985, 49000-49001, 49330-49334
Code of Regulations Title 5, 307, 353
CDE Program Advisories, 1023.88, CIL 88/9-5, 1110.89, CIL 89/9-3

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: August 8, 2007

Questioning and Apprehension at School by Law Enforcement Officers

The interviewing of suspected child abuse victims is covered at 5141.40. This policy does not apply to such interviews.

Law enforcement officers have the right to interview students on school premises as suspects or witnesses. When such an interview is requested, the site administrator or designee shall carefully ascertain the officer's identity, official capacity and the authority under which s/he acts. If the officer needs to interview the student immediately, the Assistant Superintendent or designee shall accommodate the questioning in a way that will avoid disrupting the school process, gives the student appropriate privacy, and models exemplary cooperation with community law enforcement authorities.

Except in cases of child abuse or neglect, the Assistant Superintendent or designee shall contact the student's parent/guardian when a law enforcement officer requests an interview on school premises.

At the law enforcement officer's discretion and with the student's approval, the Assistant Superintendent or designee may be present during the interview. The law enforcement officer should advise the student that s/he has the right to remain silent, but that s/he is encouraged to cooperate with law enforcement agencies.

If, in the course of the interview, it appears necessary to remove the student so that s/he may better aid the police elsewhere, the Assistant Superintendent or designee is empowered to release the student from school without first obtaining parental consent. Attorney General Opinions cite the Code of Regulations, Title 5, Section 303 as authorization for this action, which is considered as responding to an emergency. (34 Ops. Cal. Atty. Gen. 93, 54 Ops, Cal. Atty. Gen. 96)

If, in the course of the interview, it appears necessary to remove the student from school so that s/he may better aid the investigation, the Assistant Superintendent or designee shall first ascertain the reason for such action.

Apprehension

When a Assistant Superintendent or designee releases a student into the custody of a law enforcement officer, s/he shall immediately notify the parent/guardian or responsible relative and the County Superintendent of the student's release and the place to which the student is reportedly being taken, except in cases of suspected child abuse.

Whenever a student is suspected of being a victim of child abuse and is being removed from the school premises, the Assistant Superintendent or designee must give the telephone number and address of the student's parent/guardian to the law enforcement officer. The officer then has the responsibility of immediately notifying the parent/guardian.

Personnel shall not release a student from school custody to any unauthorized or unidentified person.

cf: 5141.4 Child Abuse and Neglect
5142 Safety

Legal References:

Code of Regulations Title 5, 303
Education Code, 44807, 48264, 48265, 48902, 48906, 48909
Penal Code, 830-832.8, 833-851.85 1328
32 Ops Cal Atty Gen 46
34 Ops Cal Atty Gen 93
54 Ops Cal Atty Gen 96

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: August 8, 2007

Search and Seizure

The County Board recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property, their lockers, or their vehicles by school officials.

School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the County Office of Education or the school. The County Board urges that discretion, good judgment and common sense be exercised in all cases of search and seizure.

The parent/guardian of a student subjected to an individualized search shall be notified by the County Superintendent or designee as soon after the search as possible.

Student Lockers

Because lockers are under the joint control of the student and the County Office of Education, school officials shall have the right and ability to open and inspect any school locker without student permission when they have reasonable suspicion that the search will disclose evidence of illegal possessions or activity or when odors, smoke, fire and/or other threats to student health, welfare or safety emanate from the locker.

For health and safety reasons, a general inspection of school properties such as lockers and desks may be conducted on a regular, announced basis, with students standing by their lockers or desks. Any items contained in a locker shall be considered to be the property of the student to whom the locker was assigned. Notice of this policy shall be given to all students when lockers are assigned.

cf: 5131.00 Student Conduct

5131.60 Drug and Alcohol Free Environment

5131.62 Tobacco

5131.70 Weapons and Dangerous Instruments

5144.00 Discipline

5145.11 Questioning and Apprehension at School by Law Enforcement Officers

Legal References:

Education Code, 35160, 35160.1 35294-35294.5, 49050-49051, 49330-49334

Penal Code, 626.9, 626.10

People v. Button (1971) 6 Cal. 3d 375

75 Ops Cal Atty. Gen. 155

Adopted: November 10, 1994

Reviewed: January 13, 1999

Revised: August 8, 2007

Search & Seizure of Students, Student Belongings and Vehicles

I. STUDENTS AND THEIR PERSONAL BELONGINGS

A. When a Search May Occur

The County Board of Education has declared that a drug and weapons problem exists on campus. As a result, students and their personal belongings¹ may be searched by school officials while on school property or at school-sponsored events:

- based upon reasonable suspicion²; or
- at random without cause of any kind; or
- on an indiscriminate basis (every student) without cause of any kind.

B. The Scope of a Search

The scope of the search, and the gender of the school official conducting the search, will be related to the objectives of the search, the age and sex of the student, and the nature of the violation.

C. Methods Used In a Search

1. Searches Based on Reasonable Suspicion

Searches based upon reasonable suspicion will take place in a private area and may include:

a. Frisks

A frisk will be conducted by, or under the supervision of, the site administrator and at least one other County employee. When reasonably possible, a frisk will be conducted by a school official of the same gender. Frisks may require that bulky outer clothing (e.g. jackets or sweaters), shoes, socks, hats, gloves, etc. be removed. No clothing will be removed which would permit a visual inspection of the underclothing, breasts, buttocks or genitalia of the student. A search will never include the search of a student's body cavity.

b. Search of Personal Belongings

The search of a student's personal belongings may include, by way of illustration and not limitation, emptying purses and backpacks and inspection of all pockets or spaces large enough to conceal the sought after object.

¹By way of illustration, and not limitation, "personal belongings" includes: backpacks, purses, wallets, brief cases, bags, coats, et cetera.

²Reasonable suspicion exists when a school official has reasonable grounds to suspect that the search will provide evidence that the student is violating the law and/or school regulations.

c. Search of Automobiles

Automobiles parked on the school premises or in the school parking lot are subject to search when school officials have reason to believe that weapons, drugs, or objects prohibited by school policy or State law are contained therein.

2. Searches without Cause

Searches on a random or indiscriminate basis without cause may include:

a. Metal Detectors

As a means to deter students from carrying weapons to school, metal detectors may be used to search students and their personal belongings for weapons.

School officials will scan students and their personal belongings with a hand held metal detector. Students will first be asked to empty their pockets and belongings of metal objects. If the metal detector is activated during a scan, a second scan will be conducted. If the activation cannot be eliminated or explained by the second scan, reasonable suspicion will exist for the school official to conduct an expanded search for weapons. The student will be escorted to a private area for the expanded search. An expanded search may include a frisk and/or a search of personal belongings.

b. Visual Inspection of Socks

Historically, socks have been an excellent hiding place for weapons and/or drugs. As a means to deter students from carrying non-metallic weapons to school, school officials may visually inspect a student's sock area. Students will be asked to raise any clothing which obstructs the view of his or her socks. The school official making the inspection must be able to see the entire length of the sock from the top of the shoe to the top of the sock. If the school official observes a bulge in a student's sock, reasonable suspicion will exist for the school official to conduct an expanded search of the student's socks for weapons and/or drugs. The student will be escorted to a private area for this search. Depending upon the findings of the sock search, reasonable suspicion may exist for school officials to conduct a more expansive search. This search may include an expanded frisk and/or a search of personal belongings.

c. Canine Searches

As a means to deter students from carrying weapons and/or drugs and drug paraphernalia to school, canines may be used to search students and their personal belongings for drugs.

D. Storage of Personal Belongings

Every student is required to leave his/her coat or sweatshirt at a designated location in the classroom. Nevertheless, such personal belongings are subject to search (as described above) prior to storage in the in the designated area.

II. SCHOOL PROPERTY UNDER JOINT CONTROL

School property under joint control includes, by way of illustration and not limitation, notebooks, books, desks, chairs and other furniture or property owned by the school. There is **no** expectation of privacy in school property under joint control. School officials may search school property under joint control at any time. Searches may be random and without cause of any kind.

III. NOTIFICATION AND CONFISCATION

A. Notification

1. Parent

Parents will be notified of a search only when the search results in confiscation of materials or the involvement of the Colusa County Probation Department or the Colusa Police Department.

2. The Authorities

The Colusa County Probation Department or the Colusa Police Department may be called at any time during a search. The Colusa Police Department will be called in the event any object which could be used as a weapon, or any suspected illegal substance, is found.

B. Confiscation

Guns, knives or other weapons, controlled substances and drug paraphernalia which are confiscated will be turned over to the appropriate law enforcement authorities. Other confiscated materials (e.g., radios, skateboards, or tobacco or nicotine products) will be returned to the parents and not the student. The County Office of Education is not responsible for loss of, or damage to, confiscated materials.

Legal References:

New Jersey v. T.L.O., (1985) 469 U.S. 325
Vernonia School District v Acton, (1995) 515 U.S. 646
B.C. v Plumas Unified School District, (1999) 192 F.3d. 1260
In re William G., (1985) 40 Cal. 3d 550
In re Alexander B., (1990) 220 Cal. App. 3d 1572
People v Pruitt, (1996) 662 NE 2d 540
People v. Dukes (1992) 151 Misc2d 295
75 Op Atty Gen Cal 155 (1992)
83 Op Atty Gen Cal 257 (2000)
Cal Const., Art 1, §1
EC§35160 Authority of Governing Board
EC§49330 et. seq. Injurious Objects

Freedom of Speech/Expression/Assembly: Publications Code

Free inquiry and exchange of ideas are essential parts of a democratic education. The County Board respects students' rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, writings, printed materials and/or the wearing of buttons, badges and other insignia.

Student freedom of expression shall be limited only as allowed by law in order to maintain an orderly school environment and to protect the rights, health and safety of all members of the school community. Students shall not be disciplined solely on the basis of constitutionally protected speech or other communication.

Because county schools have a closed forum, students may not post or distribute materials regarding the meetings of noncurricular student-initiated groups.

The County Superintendent or designee shall ensure that due process is followed when resolving disputes regarding student freedom of expression.

cf: 1325 Advertising and Promotion
5137 Positive School Climate
5144 Discipline
6144 Controversial Issues
6145.3 Publication
6145.5 Student Organizations and Equal Access

Legal References:
Education Code, 48907, 48950, 51520

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: July 11, 2007

Nondiscrimination

Colusa County Office of Education programs and activities shall be free from discrimination with respect to gender, race, color, religion, national origin, ethnic group, marital or parental status, and physical or mental disability.

The County Board shall ensure equal opportunities for all students in admission and access to academic courses, guidance and counseling programs, athletic programs, testing procedures, vocational education and other activities.

County Office of Education staff and volunteers must be especially careful to guard against unconscious sex discrimination and stereotyping in instruction, guidance and supervision.

cf Superintendent's Policies:

- 0410.00 Nondiscrimination
- 1240.00 Volunteer Assistance
- 1312.30 Uniform Complaint Procedures

Legal References:

- Education Code, 200-262, 49020-49023, 51006-51007, 51500, 51501 60044
- Title IX, United States Education Amendments of 1972

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: October 10, 2007
Revised: October 8, 2014

Notifications Required By Law

The County Board recognizes that notifications required by law are a part of the communication essential between the school and the home. The County Superintendent or designee shall send students and parents/guardians all notifications required by law, including notifications about their legal rights.

Whenever a teacher learns that a student's parent/guardian is for any reason unable to understand the County Office of Education printed notifications, the County Superintendent or designee may assist the parent/guardian in establishing other appropriate means of communication.

cf: 6174 Education for Students of Limited English Proficiency

Legal References:

Education Code, 40, 262.3, 32243, 32255-32255.6, 32390, 35256, 35291, 35291.5, 37616, 39141.8, 44808.5, 46010.1, 46010.5, 46014, 46601, 48000, 48205, 48206.3, 48207, 48208, 48209.9, 48213, 48260.5, 48432.5, 48637.1, 48900.1, 48904, 48904.3, 48906, 48911, 48912, 48915.5, 48916, 48918, 48980-48985, 49063, 49067-49070, 49073, 49077, 49302, 49332, 49403, 49423, 49451, 49452.5, 49455, 49456, 49470-49473, 49480, 49510-49520, 51201.5, 51240, 51550, 51820, 52053.5, 52164, 52164.1, 52173, 54444.2, 56000-56885, 56301, 56321, 56321.5, 56329, 56341, 56343.5, 56346, 56366, 56380, 56500.3, 56501, 56502, 56504, 56506, 56507, 58501, 60650, 60722

Code of Regulations, Title 5, 3831, 4306, 4308, 4622, 4631, 11523

Health and Safety Code 323.5, 324.2, 3380-3389

Penal Code, 626.1, 627.5

Welfare and Institutions Code, 18976.5

Statutes Other Than Code, Chapter 1102, Statutes of 1991, Section 6

United States Code, Title 20, 1221, 1232g, 1231g, 1681 et seq. 3801 et seq.

United States Code, Title 29, 721, 761, Section 504

United States Code, Title 42, 2000c et seq.

Code of Federal Regulations, Title 34, 99.30, 99.34, 104.36, 200.34

Code of Federal Regulations, Title 40, 763.93

Adopted: November 10, 1994

Reviewed: January 13, 1999

Revised: April 18, 2007

Sexual Harassment

The United States Supreme Court has ruled that students who are victims of sexual discrimination or harassment in schools may be entitled to damage awards. (Franklin vs. Gwinnet County Schools (1992) 112 S. Ct. 1028)

The County Board prohibits sexual harassment of any student by any employee, student, or other person in or from the County Office of Education.

Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment.

Any student who engages in the sexual harassment of anyone in or from the County Office of Education may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in sexual harassment may be subject to disciplinary action up to and including dismissal.

The County Board expects students to report immediately incidents of sexual harassment to their teacher, the site administrator, or the Assistant Superintendent of their programs, or to the Assistant Superintendent of Administrative Services.

Any student who feels that s/he is being harassed should immediately contact the responsible person at his/her school. If a situation involving sexual harassment is not promptly remedied by the site administrator or designee, or by referral to the appropriate County Office administrator, a complaint of harassment can be filed in accordance with Superintendent's Policy 1312.00 or Superintendent's Operating Procedure 1312.10 and 1312.30. The administrator or designee shall determine which procedure is appropriate.

The Colusa County Office of Education prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

cf: 1312.10 Complaints Concerning School Personnel
1312.30 Uniform Complaint Procedures
4118.00 Suspension/Disciplinary Action
5131.50 Vandalism, Theft and Graffiti
5137.00 Positive School Climate
5144.10 Suspension and Expulsion/Due Process

Legal References:

Education Code, 200-240, 212.5, 212.6, 230, 48904, 48980

Civil Code 1714.1

United States Code, Title 42, 2000d & 2000e et seq., 2000h-2 et seq.

Adopted: November 10, 1994

Review: January 13, 1999

Revised: October 10, 2007

Married/Pregnant/Parenting Students

The County Board believes that married, pregnant and parenting students in the county shall have the same educational opportunities as all students.

For school-related purposes, married students under the age of eighteen (18) are emancipated minors and have all the rights and privileges of a student who is eighteen, even if the marriage has been dissolved.

The County Board believes that pregnancy and parenting should not be a barrier to education or a reason for dropping out of school. Rather than ending the teenager's need for education, pregnancy and parenting increase the need to cope with adult responsibilities and to prepare for an economically self-sufficient future.

The instructional program provided for pregnant students shall be determined on a case by case basis and shall be appropriate to the student's individual needs. The student may continue attending school in the regular classroom setting, may attend a separate program established for pregnant students, or may pursue a home instruction or independent study program. The County Office of Education shall coordinate transportation and scheduling so that students may attend their regular classes for part of the day and specialized classes for the remainder. When selecting the program to be followed, the student shall be encouraged to consult with her spouse/partner or parent/guardian, her physician, and appropriate County Office of Education medical and educational advisors.

Pregnant or lactating students shall qualify for nutrition program supplements as provided under Education Code 49559(b). All applications and eligibility records concerning these supplements shall be confidential. (Education Code 49558)

Whenever possible, program staff shall work closely with the pregnant student's spouse/partner and/or parents/guardians and shall collaborate with local public and private agencies in order to expand the student's learning opportunities and support system.

cf: 6158.00 Independent Study
6183.00 Home/Hospital Instruction

Legal References:

Education Code, 2551.3, 8900-8901, 48410(c), 49558, 49559
Code of Regulations, Title 5, 11820 et seq.
Civil Code, 62, 63

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: October 10, 2007

Dropout Prevention

The County Board is deeply concerned about the many students who leave school without graduating. The County Board particularly desires to provide a learning environment conducive to keeping in school those “high-risk” students who are susceptible to frequent absenteeism, truancy, or tardiness, or who have the potential to drop out because of pregnancy or marriage, financial needs, dislike of school, classes, or teachers, lack of basic skills, disciplinary problems, low self-esteem, emotional or physical problems, or feelings of alienation.

The County Board sees every student as a valuable individual to be carefully nurtured and equipped to become a productive citizen. Because children all differ, variations of pace, topic and activity are needed to challenge and interest them. Besides seeking continual improvement in the quality and relevancy of our educational program, the County Board encourages the use of appropriate dropout prevention strategies at all age and grade levels.

The County Board directs the County Office of Education to implement this policy with parental and community involvement.

cf: 5131.60 Drug and Alcohol-Free Environment
5131.62 Tobacco
5146.00 Married/Pregnant/Parenting Students
5113.00 Absences and Excuses

Legal References:
Education Code, 35160

Adopted: November 10, 1994
Reviewed: January 13, 1999
Reviewed: September 12, 2007

Child Care

The County Board recognizes that child care and supervision are a necessity for many working families. The County Board is deeply concerned about our community's growing need for child care, a need which no single sector of the community appears prepared to fulfill on its own.

As part of our efforts to ensure the well-being of the community's children, the County Office of Education shall work cooperatively with public and private agencies to jointly and mutually provide child care alternatives to the community. Besides serving community needs, the County Board anticipates that these alternatives will generate increased parental involvement and support for the schools.

The County Superintendent or designee shall identify locations where day care programs might benefit children and families, and enhance the County Office of Education instructional programs.

cf: 1330.00 Use of School Facilities
3280.00 Sale, Lease, Rental of District-owned Real Property
6179.00 Child Development Programs

Adopted: November 10, 1994
Reviewed: January 13, 1999
Revised: October 10, 2007

Student Excellence and Achievement

The Colusa County Board of Education supports excellence and achievement in education. As a means of encouraging students who wish to pursue further educational opportunities after high school, whether the interest is in academic studies or in vocational/career studies, the County Board encourages awards to graduating students who are enrolled in a high school program operated by the Colusa County Office of Education and also reside in Colusa County at the time of application. The awards will be funded by a special account set up by the County Superintendent from unclaimed expenses for Board members.

This separate account will be set up in the Colusa County Office of Education ledger to maintain total separation from any other funds or programs within the County Office.

Details on eligibility and selection guidelines for these awards are detailed in Superintendents Policy SP 5126.00 and Superintendents Operating Procedure 5126.01

Adopted: February 12, 2003
Reviewed: September 12, 2007
Revised: April 13, 2011
Revised: August 13, 2013

INSTRUCTION

Series 6000

This series covers instruction.

Concepts & Roles

Concepts and Roles in Instruction	BP 6000.00
Parent Involvement	BP 6020.00
Curriculum Development and Evaluation	BP 6141.00
High School Graduation Requirements/Standards of Proficiency	BP 6146.10
Colusa County Office of Education Courses/Credits Authorized to Meet Diploma Requirements	BOP 6146.10 Exhibit A
Colusa County Office of Education Graduation Requirements for a High School Diploma	BOP 6146.10 Exhibit B
Independent Study Program	BP 6158.00
Selection and Evaluation of Instructional Materials	BP 6161.10
Use of Copyrighted Materials	BP 6162.60
County Community School	BP 6172.00
Education for Homeless Children	BP 6173.00

Concepts and Roles in Instruction

The County Board of Education believes that the County Office of Education and community must work together to ensure that educational goals and objectives are relevant to the lives and future of our students. The Board shall adopt policies which define County Office of Education philosophy and goals.

In order to keep abreast of educational trends and changing student needs, the Board supports a continuing program of inservice education for certificated and classified staff, the administration, and Board members.

cf: 0100.00 Philosophy
0200.00 Goals of the County Office
9240.00 Board Development

Legal References:

Education Code, 51000-51007
United States Code, Title 20, 2728(c), 2971(b)
Code of Regulations, Title 5, 3940, 4424
Code of Federal Regulations, Title 34, 200.43, 298.23

Adopted: December 15, 1994

Reviewed: February 10, 1999

Reviewed: October 10, 2007

Parent Involvement

The County Board of Education recognizes that parents/guardians are their children's first and most influential teachers and that continued parental involvement in the education of children contributes greatly to student achievement and conduct. Parents/guardians can directly affect academic success by reinforcing their children's motivation and commitment to education.

Administrators, teachers and parents/guardians can better understand and meet student needs if they work together. All County Office program personnel have a duty to communicate frequently with the home and to help parents/guardians develop skills and family management techniques which support classroom learning. In addition, administrators and teachers should keep parents/guardians well informed about school expectations and tell parents/guardians when and how they can assist their children in support of classroom learning activities. To accomplish those roles, the County Board encourages staff training in effective communication with the home.

The County Board encourages parents/guardians to serve as volunteers in County Office programs and to attend student performances and school meetings.

Legal Reference:

Education Code, 11500-11506

Management Resources:

CDE Program Advisories, 0928.09

Adopted: December 15, 1994

Reviewed: February 10, 1999

Reviewed: October 10, 2007

Curriculum Development and Evaluation

The County Board of Education accepts responsibility for establishing what students should learn in court and community schools and regional occupational programs. The Board shall adopt a county office of education curriculum which reflects county office of education philosophy, responds to student needs and abilities, and is consistent with the requirements of law. Insofar as possible, this curriculum shall also reflect the desires of the community and the needs of society as a whole.

Legal References:

Education Code, 40, 35160, 35160.1, 51050-51057, 51200-51263,
51225.3, 51500-51551, 51720-51879, 52000-52049, 52060-52065,
52160-52178.4, 52200-52213, 52300-52414, 54000-54041, 54100-
54145, 56000-56865
Government Code, 3543.2
Code of Regulations, Title 5, 4000-4091, 4300-4320, 4400-4426

Management Resources:

CDE Program Advisories, 1123.87

Adopted: December 15, 1994

Reviewed: February 10, 1999

Reviewed: October 10, 2007

High School Graduation Requirements/ Standards of Proficiency

Students shall receive diplomas of graduation from high school only after completing the prescribed course of study and meeting the standards of proficiency established by the County Office of Education.

- **Special Education** - Special Education students may receive a certificate of completion or a district high school diploma, based on the district requirements.
- **Career Technical Education (CTE)** - Students completing CTE classes operated by the County Office may earn credits towards a high school diploma. The site administrator shall work with the local school district to coordinate CTE course credits.
- **Court, Community, or Comprehensive High Schools** - Students attending Court, Community or Comprehensive High School programs may receive a high school diploma after successfully completing required courses.
- **Alternative Graduation Methods** – Students may receive a high school equivalency certificate by passing all five components of the General Education Development Test (GED) or all three components of the High School Equivalency Test (HiSET).

Students may receive a high school diploma by meeting qualifications of the Federal McKinney-Vento Homeless Assistance Act (McKinney-Vento Act).

Legal References:

Education Code, 48430, 51224, 51225.5, 51226, 51228, 51240-51246,
51260-51269, 51400-51442, 52508, 52510
Code of Regulations, Title 5, 1600, 1630-1635, 1650-1651
California Assembly Bill AB104
Federal Legislation, 42 U.S.C. § 11431-11435

Adopted: February 12, 1997

Reviewed: January 13, 1999, October 10, 2007

Revised: March 10, 2004, December 14, 2016, November 8, 2017

Colusa County Office of Education
Courses/Credits Authorized to Meet Diploma Requirements

Required Courses of Study: (EC 51225.3)

- (30) Three ten credit courses in English
- (10) One ten credit courses in mathematics
- (10) Algebra Requirement: (EC 51224.5)
One year course meeting the content standards for Algebra I
- (20) Two ten credit courses in science, including life and physical sciences
- (30) Three courses in social studies including United States History and/or Geography, World History, a five credit course in American Government and Civics, and one five credit course in Economics.
- (10) One ten credit course Fine Arts or World Language
- (20) Two ten credit courses in Physical Education
EC 51222(a): All pupils, except pupils excused or exempted pursuant to Section 51241, shall be required to attend upon the courses of physical education for a total period of time of not less than 400 minutes each 10 schooldays.
- (5) Personal and Public Health and Safety: (EC 51202)
Instruction on AIDS and AIDS prevention: (EC 51201.5)
Each pupil shall receive instruction at least once in Junior High and once in High School.
Instruction on alcohol, narcotics, and restricted dangerous drugs: (EC 51203)

Proficiency Standards: Students must achieve a minimum proficiency in reading comprehension, writing and mathematics. Proficiency standards shall be aligned with the California Content Standards in the designated areas. Minimum achievement scores shall be aligned with the proficiency levels in the California State Standards exams.

Adopted: February 12, 1997

Reviewed: January 13, 1999

Revised: March 10, 2004, November 14, 2007, January 9, 2013, December 14, 2016,
November 8, 2017

Colusa County Office of Education
Graduation Requirements for a High School Diploma

Satisfactorily complete a minimum of 220 credits, including courses from the following content areas:

***Classes Required by the California Department of Education**

Courses	Credits Required for Diploma
A. English:	30 Credits
English 9*, English 10*	20 Credits
English 11*, English 12 (optional)	10 Credits
Writing (optional)*	10 Credits
B. Mathematics:	20 Credits
General Mathematics	10 Credits
Pre-Algebra	10 Credits
Algebra*, Algebra 1 or Algebra 1A + 1B	10 Credits
Geometry	10 Credits
Consumer Mathematics	10 Credits
C. Science:	20 Credits
Life Science*	10 Credits
Physical Science*	10 Credits
D. History/Social Science:	30 Credits
World History or Geography*, grade 10	10 Credits
United States History*, grade 11	10 Credits
American Government*, grade 12	5 Credits
Economics*, grade 12	5 Credits
E. Fine Arts or World Language:	10 Credits
Applied Art*	10 Credits
Or	
World Language*	10 Credits
F. Physical Education:	20 Credits
Physical Education*, grade 9	10 Credits
Physical Education	10 Credits
G. Health:	5 Credits
Health Education*	5 Credits
H. Computer Literacy:	5 Credits

I. Elective Credits:		80 Credits
American Sign Language	10 Credits	
Applied Art	5 Credits	
Auto Maintenance	5 Credits	
Bike Repair	5 Credits	
Career Exploration	5 Credits	
College Writing	10 Credits	
Computer Literacy	5 Credits	
Computer Repair	5 Credits	
Construction	5 Credits	
Creative Writing	10 Credits	
CTE Office Work Experience	10 Credits	
Desktop Publishing	10 Credits	
Driver's Education	5 Credits	
ESL	5 Credits	
GED Test Preparation	5 Credits	
Geography	5 Credits	
Horticulture	10 Credits	
Keyboarding	5 Credits	
Life Skills	5 Credits	
Life Skills/Consumer Skills	10 Credits	
Parenting Education	5 Credits	
Sculpture	10 Credits	
Service Learning	5 Credits	
Small Engines	5 Credits	
Study Skills	5 Credits	
Welding	5 Credits	
Woodshop	5 Credits	
World Languages	10 Credits	
"Other" Work Experience	up to 20 Credits	

Grade Level Definition:

Students will be assigned to the grade level according to credits earned.

Grade 9	0-45 Credits
Grade 10	45-100 Credits
Grade 11	100-150 Credits
Grade 12	150-220 Credits

Adopted: February 12, 1997

Reviewed: January 13, 1999

Revised: March 10, 2004, November 14, 2007, December 14, 2016, November 8, 2017

Independent Study Program

Through its County Community School, the County Board shall establish an Independent Study Program as a continuously voluntary optional alternative instructional strategy for students in grades seven through twelve, who reside in Colusa County or any contiguous county.

The County Board establishes the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is given and the time it is required to be completed by the student, as follows:

Grades 7-8	One week
Grades 9-12	Two weeks

When circumstances justify a longer period of time, the Superintendent or designee may extend the maximum length of an assignment to four weeks.

When a student fails to attend or complete three assignments in one semester, the Superintendent or designee shall conduct an evaluation to determine whether it is in the student's best interest to remain in the independent study program. A written record of the outcome of this evaluation shall be retained for three years, excluding the current fiscal year. If the student transfers to another California school, the evaluation must accompany the student's records.

A current, written, annual Independent Study Agreement with all the required elements, components, and signatures must be on file for each student.

The Superintendent or designee shall establish Administrative Rules and Regulations to implement independent study in accordance with the law.

Cf: BP 6172 Community School
SP 6172 County Community School
SP 6158 Independent Study Program

Legal References:

Title 5, California Code of Regulations, 11701
Education Code, 51747

Adopted: August 8, 2018

Selection and Evaluation of Instructional Materials

The County Board believes that instructional materials should be selected and evaluated with great care so they will effectively support the adopted courses of study and meet current curricular goals. The review of instructional materials shall be coordinated with the overall development and evaluation of the county office of education's curriculum. Taken as a whole, county office of education instructional materials should present a broad spectrum of knowledge and viewpoints, reflect the ethnic and cultural diversity of our society, and enhance the use of multiple teaching strategies and technologies.

The County Superintendent or designee shall establish a process by which new instructional materials may be requested and subsequently evaluated, together with existing materials. Teachers, students, parents/guardians and community members shall have the opportunity to recommend instructional materials.

cf: 6141 Curriculum Development and Evaluation

Legal References:

Education Code, 1720-1723, 35272, 44805, 51501, 60010-60028,
60040-60047, 60070-60076, 60110-60111, 60200-60206, 60260-60264,
60400-60414

Management Resources:

CDE Program Advisories, 10021.09

Adopted: December 15, 1994

Reviewed: February 10, 1999

Reviewed: October 10, 2007

Use of Copyrighted Materials

All County Office of Education staff shall adhere to the provisions of the federal copyright law and maintain the highest ethical standards in using copyrighted materials. The County Office of Education shall provide no legal support to any employee who violates the copyright law. Willful violation of this law by students or staff may result in disciplinary action.

The County Board recognizes that computer software piracy contributes to higher costs and decreases commercial incentives for the development of quality educational computer software. In circumstances where the interpretation of the copyright law is ambiguous, the county office of education shall determine appropriate use of computer software by referring to the license agreement and/or policy statements contained in the software packages used in the County Office of Education. Computer-related instruction for students and staff shall include the ethical and practical problems caused by software piracy.

The County Superintendent or designee shall be the only individual who may sign license agreements for software for county office of education schools and programs. Each school and program using licensed software shall have a signed copy of the software agreement.

The County Superintendent or designee shall maintain policies and procedures to discourage violation of all copyright laws and prevent illegal copying activities.

cf: 6141 Curriculum Development and Evaluation
0416 Superintendent's Policies

Legal References:

Education Code, 35182
United States Code, Title 17

Adopted: December 15, 1994
Reviewed: February 10, 1999
Revised: November 14, 2007

County Community School

The County Board shall establish and maintain one or more county community schools. For the purposes of establishing and maintaining a county community school, the County Board shall be deemed a school district.

Any county community school established by the County Board shall be administered by the County Superintendent.

The County Board may enroll in any of the county community schools any of the following:

1. Students expelled from a school district
2. Students referred by a school district as a result of a recommendation by a student attendance review board
3. Students whose attendance has been requested by his/her parent or guardian and has been approved by the school district.
4. Students referred by the Colusa County Probation Department or by the Juvenile Court
5. Students on probation or parole and not enrolled in any school
6. Students who are homeless as defined in Education Code 1981.2
7. Students who may otherwise be eligible pursuant to state law.

The county community school may offer an Independent Study Program.

The course of study adopted by the County Board shall enable each student to continue their academic work leading to the completion of a regular high school program. Each student shall be prescribed an individually planned program based upon an educational assessment and shall be assigned to classes or programs deemed the most appropriate for reinforcing or reestablishing their educational development.

cf: BP 6158 Independent Study Program
SP 6172 County Community School
SP 6158 Independent Study Program

Legal References:

Education Code, 1980 – 1986 County Community Schools

Adopted: August 8, 2018

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 County Office of Education. The County Office of Education shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.

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

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

Transportation

The County Office of Education shall provide transportation for a homeless student to and from his/her school of origin when the parent/guardian requests that such transportation be provided. If the student moves outside of County Office of Education boundaries, but continues to attend his/her school of origin within this County Office of Education, 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, in accordance with the law. (42 USC 11432)

Legal References:

Education Code

2558.2 ADA of Homeless Children

39807.5 Transportation Costs

51870 Technology

U.S. Code

20 USC Title 42 §11431-11435

Adopted: March 11, 2015

FACILITIES

Series 7000

This series covers facilities and new construction.

Beliefs & Roles

Concepts and Roles in Facilities

BP 7000.00

Relations With the Public

BP 7140.00

Concepts and Roles in Facilities

Providing proper educational facilities is a major responsibility of the Governing Board and the Colusa County Office of Education administration. The design of the school plant, adequacy of space, and flexibility of use should all combine to enhance the instructional program.

Since school construction is costly, and buildings become a permanent part of the community to be used by large numbers of people, great care must be taken to make certain that the facilities will fully support the intended educational and community programs, that they may be altered conveniently and inexpensively to meet future educational and community needs, that they provide a healthful environment, and that the styling of the facilities will permit them to fit harmoniously and attractively into the community.

Legal References:
Education Code, 1042, 1080

Adopted: December 15, 1994
Revised: December 12, 2007

Relations with the Public

The County Board of Education is responsible for keeping the public informed as to the need for new facilities, or renovating, remodeling and modernizing existing facilities. The Board will keep the public informed as to the use of any and all funds for school facilities.

Legal References:
Education Code, 35160

Adopted: December 15, 1994
Revised: December 12, 2007

BYLAWS OF THE BOARD

Series 9000

This series covers Bylaws of the Board.

Powers & Duties

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Bylaws Of The Board (continued)

Agenda/Meeting Materials	BP 9322.00
Meeting Conduct	BP 9323.00
Request to Address the Board on an Item	BOP 9323.00
Actions by the Board	BP 9323.20
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Powers and Duties

The duties and powers of the Board are derived from the Constitution of the State of California (Article 9, Section 7), the Education Code, and the Rules and Regulations of the State Board of Education (Administrative Code, Title 5). The specific powers of the County Board of Education are found in Education Code sections 1040 through 1082. In addition, the Board may act pursuant to Education Code Sections 35160 and 35160.2, which permit the Board to act in any manner which is not in conflict with, inconsistent with, preempted by any law, or which is not in conflict with the purposes for which the local education agencies have been established.

The County Board of Education shall:

- a. adopt rules and regulations within law for their own governance.
- b. keep a record of their proceedings.
- c. approve the Annual Budget of the County Superintendent of Schools.
- d. set the salary of the County Superintendent of Schools.
- e. fill by appointment any vacancy that occurs during the term of office of the County Superintendent of Schools.

The County Board of Education may:

- a. adopt an official seal.
- b. have necessary printing done.
- c. adopt rules and regulations governing the administration of the County Office of Education.
- d. review the County Superintendent of School's annual estimate of anticipated revenue and expenditures and make such changes as it deems advisable and proper.
- e. secure copyrights in the name of the Board of Education.
- f. use, sell, give and exchange published materials.
- g. construct and maintain dormitories for handicapped persons.

- h. approve audio-visual services on recommendation of the County Superintendent of Schools.
- i. approve studies, research and educational displays recommended by the County Superintendent of Schools.
- j. approve Special Education agreements recommended by the County Superintendent of Schools.
- k. serve as a review body for student expulsions.
- l. may approve or disapprove inter district attendance agreements.

Legal References:

Education Code, 1041-1046, 1080, 1250, 1260-1261, 1294

Adopted: December 15, 1994

Reviewed: March 10, 1999

Revised: December 12, 2007

Public Statements

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

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

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

cf: 9011 - Disclosure of Confidential/Privileged Information
9200 - Board Members

Legal References:
Education Code, 35010
Government Code, 54960

Adopted: December 15, 1994
Reviewed: March 10, 1999
Reviewed: November 14, 2007

Disclosure of Confidential/Privileged Information

All confidential/privileged information shall be released only as allowed by law.

Confidential/privileged information which is produced for or which comes out during closed sessions of the Board shall not be divulged or released unless a majority of Board members agree to release the information, subject to applicable laws regarding closed sessions.

This policy is not intended to cause the withholding of information about the purpose and subject(s) of the closed session as required for public information under Government Code 54957.7.

Information from closed sessions shall be released by the president or chairman of the meeting in which the closed session is held.

Any Board member who willfully and for monetary gain uses or discloses confidential/privileged information as defined in Government Code 1098 is guilty of a misdemeanor.

cf: 5125 - Student Records
9321 - Closed Sessions Purposes and Agendas

Legal References:

Education Code, 35010, 35146
Government Code, 1098, 3549.1, 6250 et. seq., 6254, 54956.8, 54956.9, 54957 et seq., 54957.1, 54957.5, 54957.6, 54957.7
Evidence Code, 1040

Adopted: December 15, 1994
Reviewed: March 10, 1999
Revised: December 12, 2007

Organization

The County Board of Education shall organize at a meeting held in each year by electing one member President of the Board. The meeting at which the organization is conducted shall be either the first meeting on or after the last Friday in November, or the first meeting on or after the first day in July, depending upon whether, pursuant to Section 1007, the terms of office of board members commence on the last Friday in November or the first day in July.

At this meeting the Board shall from its members:

1. Elect one of its members to be Vice President. This member shall be one who previously has not served in office, unless all Board members have previously served in office. After serving one year as Vice President, the elected member shall serve one year as President of the Board.
2. Develop a schedule of regular meetings for the year.
3. Develop a Board calendar for the year. The calendar shall schedule matters such as budget meetings, goal setting and policy and program reviews.

cf: 9320 - Meetings and Notices

Legal References:

Education Code, 35022, 35143, 35145
Government Code 54953

Adopted: December 15, 1994
Reviewed: March 10, 1999
Revised: February 13, 2008

Terms of Office

The County Board of Education 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 odd-numbered year.

The term of office for members elected in regular elections shall be four years, commencing on the first Friday in December succeeding their election.

Board member terms expire four years after their initial election on the first Friday in December following the election of new members.

A member whose term has expired shall continue to discharge the duties of the office until his/her successor has qualified by taking the oath of office.

cf: 9220 - Elections

9223 - Filing Vacancies

9224 - Oath or Affirmation

9250 - Remuneration, Reimbursement, Other Benefits

Legal References:

Education Code, 5000-5033, 35010, 35012, 35107

Government Code, 1302, 1303, 1360

Adopted: December 15, 1994

Reviewed: March 10, 1999

Reviewed: December 12, 2007

President

The President shall preside at all County Board of Education meetings. S/he shall:

1. Call the meeting to order at the appointed time and conduct the Pledge of Allegiance;
2. Announce the business to come before the Board in its proper order;
3. Enforce the Board's policies relating to the order of business and the conduct of meetings;
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
5. Explain what the effect of a motion would be if it is not clear to every member;
6. Restrict discussion to the question when a motion is before the Board;
7. Rule on parliamentary procedure;
8. Put motions to a vote, and state clearly the results of the vote.

The President shall have all the rights of any member of the Board, including the right to move, second, discuss, and vote on all questions before the Board.

The President shall also perform other duties as directed by law, State Department of Education regulations and the Board, including the duty to:

1. Sign all instruments, acts, and orders necessary to carry out State requirements and the will of the Board;
2. Consult with the Superintendent or designee on the preparation of the Board's agendas;
3. Appoint and disband all committees, subject to Board approval;
4. Call such meetings of the Board as s/he may deem necessary, giving notice as prescribed by law;
5. Confer with the Superintendent or designee on crucial matters which may occur between Board meetings;
6. Be responsible for the orderly conduct of all Board meetings;

7. Share informational mail with other Board members.

When the President resigns or is absent or disabled, the Vice President shall perform the President's duties. When both the President and Vice President are absent or disabled, the Board shall choose a President Pro Tempore to perform the President's duties.

cf: 9320 - Meetings and Notices

Legal References:

Education Code, 35022, 35143, 35144

Adopted: December 15, 1994

Reviewed: March 10, 1999

Revised: February 13, 2008

Ex Officio Secretary/Executive Officer

The County Superintendent of Schools, acting as ex officio secretary/executive officer of the County Board of Education, shall have the following duties:

1. Prepare and maintain the Board agenda.
2. Prepare and maintain the Board minutes.
3. Maintain Board records and documents.
4. Submit to Board officers the correspondence addressed to them.

Legal References:
Education Code, 35025

Adopted: December 15, 1994
Reviewed: March 10, 1999
Reviewed: December 12, 2007

Board Liaisons Assignments and District Representatives

Liaison Assignments

The Board may also establish liaison assignments that shall be determined during the Board's annual organizational meeting in December. Liaison assignments should be rotated on a two-year term of responsibility.

If two members are assigned to the same area of responsibility, their rotation schedule shall be on alternate years.

Representatives to District Boards of Trustees

Corresponding with their Trustee area of their election, Colusa County Board of Education members serve as representatives of the Board to the four school districts in Colusa County:

Colusa Unified School Board
Maxwell Unified School Board
Pierce Joint Unified School Board
Williams Unified School Board

cf: BP 9130.00 – Board Committees

Legal References:

Government Code, 54950-54952

Adopted: October 14, 2009

Revised: December 10, 2014, January 10, 2018

Board Committees

The County Board of Education may establish Board committees as necessary. The Board shall determine the duties of the committee at the time of its appointment. Unless specifically authorized by the Board to act on its behalf, Board committees shall act in an advisory capacity. When its duties have been completed, the committee shall be dissolved.

Board committees shall provide public notice of their meetings and conduct these meetings in accordance with the State open meeting laws. Board advisory committees composed solely of less than a quorum of the Board are not subject to open meeting laws unless they are standing committees with a continuing subject matter jurisdiction or a meeting schedule established by the Board.

The County Superintendent of Schools or designee may serve as an advisor to any committee.

Whenever so charged, committees may actively seek input and participation by parents/guardians, staff, community and students, and may consult with local public boards and agencies.

When a Board committee composed exclusively of Board members has provided for public comment on an item at a public meeting before or during the committee's consideration of the item, the Board is not obliged to provide for public comment on the item at a subsequent Board meeting. Public comment shall be afforded, however, if the Board determines that the item has been substantially changed since it was heard by the committee.

cf: 1220 - Citizen Advisory Committees

Legal References:
Government Code, 54952

Adopted: December 15, 1994
Reviewed: March 10, 1999
Reviewed: December 12, 2007
Reviewed: September 9, 2009

Board Members

Limits of Board Members Authority

The County Board of Education is a unit of authority over the Colusa County Office of Education. It has broad but clearly limited powers. The exercise of its authority is restricted to the functions required or permitted by law, and then only when it acts in a legally constituted meeting.

The Board member has no individual authority. Individually, the Board member may not commit the Colusa County Office of Education to any policy, act or expenditure. The Board member cannot do business with the Colusa County Office of Education, nor should the Board member have an interest in any contract with the Colusa County Office of Education. The Board member represents and acts for the community as a whole and does not represent any fractional segment of the community.

Individual members of the Board, by virtue of holding office, shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee. Individual Board members shall submit requests for information to the County Superintendent of Schools. At his/her discretion, the Superintendent may refer the request to the entire Board for consideration.

Because his/her position as a Board member may inhibit the performance of school personnel, a Board member shall not serve as a volunteer aide in the Colusa County Office of Education without the approval of the Superintendent or designee.

Obligations of Board Members

Board members should hold the education of children, youth and adults above any partisan principle, group interest, or personal interest.

Board members should understand their role and the programs offered by the Colusa County Office of Education. They should study all agenda materials before the meeting, participate in the discussion of items which come before the Board, vote on motions and resolutions, and abstain only for compelling reasons.

Board members shall refer Board-related correspondence to the Superintendent of designee for forwarding to the Board or for placement on the Board's agenda.

Board members and persons elected to the Board are responsible for complying with the requirements of the State's open meeting laws.

The Superintendent or designee shall provide a copy of the Brown Act to each Board member and to anyone who is elected to the Board.

cf: 1340 - Access to District Records
9000 - Role of Board and Members
9011 - Disclosure of Confidential Privileged Information
9240 - Board Development
9270 - Conflict of Interest
9271 - Code of Ethics
9320 - Meetings and Notices
9322 - Agenda/Meeting Materials

Legal References:

Education Code, 7054, 35010, 35100-35351, 35160-35184, 35230-35240,
35291, 35292
Government Code, 54952.1, 54952.7, 54959

Adopted: December 15, 1994
Reviewed: March 10, 1999
Reviewed: December 12, 2007

Governing Board Elections

The membership of the Colusa County Board of Education shall be composed of five members elected in trustee areas established by the County Clerk following the decennial United States census. Each trustee area must have equal or nearly equal numbers of electors.

Any person is eligible to be a Board member, without further qualifications, if s/he is eighteen years of age or older, a citizen of the State, a resident of one of the trustee areas established by the County Clerk following the decennial United States census, a registered voter and not legally disqualified from holding civil office.

A Colusa County Office of Education employee elected to the Board shall resign his/her position before being sworn in or shall have his/her employment automatically terminated upon being sworn into office.

Governing Board election procedures shall be conducted in accordance with the California Education Code and Elections Code.

Statement of Qualifications

The Board shall assume no part of the cost of printing, handling, translating or mailing candidate statements. All costs of the candidate's statement will be paid by the candidate, and that no candidate may submit statement in excess of 200 words

Tie Votes in Board Member Elections

Whenever a tie makes it 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 lots shall be cast to determine the winner.

cf: 9110 - Regular and Student Members; Terms of Office

Legal References:

Education Code, 5016, 35107
Election Code, 10509, 13307

Adopted: December 15, 1994

Reviewed: March 10, 1999

Revised: February 13, 2008

Revised: July 14, 2010

Recruiting New Board Members

In order to draw Board member candidates from the widest possible number of interested, active, well-informed citizens, the County Superintendent of Schools or designee shall publicize widely all public Board meetings, committee openings, and community-related school events and shall encourage the participation of parents/guardians and members of the professional and business community in these activities.

The Superintendent or designee shall publicize Board of Education elections well in advance so that prospective Board candidates will have time to investigate the responsibilities of Board membership and comply with legal requirements.

cf: 9220 - Governing Board Elections

Adopted: December 15, 1994

Reviewed: March 10, 1999

Revised: February 13, 2008

Resignation

A County Board of Education member who wishes to resign may do so by filing a written resignation with the County Superintendent of Schools.

A copy shall be given to the Board President.

The written resignation is effective when filed, 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 sixty days after filing.

A written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable upon being filed.

Upon resignation, the Board member may continue to exercise all his/her duties, save that of voting for a successor, until the effective date of resignation.

cf: 9270 - Conflict of Interest

Legal References:
Education Code, 5090, 5091, 35178

Adopted: December 15, 1994
Reviewed: March 10, 1999
Revised: March 12, 2008

Filling Vacancies

A vacancy on the County Board of Education may occur for any of the events specified in Government Code 1770 or by a failure to elect. Removal by recall election shall also create a vacancy on the Board.

Special Elections

Within sixty days of the date of the vacancy or the filing of the Board member's deferred resignation, the Board may order an election to fill the vacancy.

If a vacancy occurs from six months to 130 days before a regularly scheduled Board election and the position is not scheduled to be filled at that election, the position shall be filled at a special election which shall be 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 s/he was elected to fill.

Provisional Appointments

Within sixty days of the date of a vacancy or filing of a deferred resignation, the Board may make a provisional appointment for any vacancy that occurs four or more months before the end of the Board member's term, unless the vacancy occurs from six months to 130 days before a regularly scheduled Board election and the vacant position is not scheduled to be filled at that election.

In order to draw from the largest possible number of candidates, the Board shall advertise in the local media to solicit candidate applications or nominations. A committee consisting of less than a quorum of the Board may screen the applicants and announce the names of the candidates. The Board may interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

Within ten days after the appointment is made, the Board shall post notices of the vacancy or dated resignation and the provisional appointment. The notice shall be published in the local newspaper and posted in at least three public places.

The notice shall contain:

1. The full name of the appointee.
2. The date of appointment.
3. A statement notifying the voters that the provisional appointment shall become effective immediately and shall continue 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 thirty days of the provisional appointment.

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the duties and responsibilities of a Board member upon appointment.

cf: 9323.20 - Actions by the Board

Legal References:

Education Code, 5012, 5090, 5091, 5092, 5093, 5094, 5095, 5200, 5304,
5325, 5424, 35107

Elections Code, 27344

Government Code, 1770, 6061, 3060-3074, 54953

Adopted: December 15, 1994

Reviewed: March 10, 1999

Revised: April 9, 2008

Oath or Affirmation

When entering upon the duties of their office, all County Board of Education members shall take the oath or affirmation required by law.

A Board member, the County Superintendent of Schools, or an authorized designee may administer this oath.

Legal References:

Education Code, 60

Government Code, 1360-1363, 3100-3109

Constitution of the State of California, Article 20, Section 3

Adopted: December 15, 1994

Reviewed: March 10, 1999

Reviewed: February 13, 2008

Orientation

Board Candidate Orientation

The County Board of Education desires to provide Board candidates with orientation that will enable them to understand the responsibilities of Board membership. The County Superintendent or designee shall provide all candidates with general information about school programs, County Office of Education operations, and Board responsibilities.

The Board encourages all candidates to attend public Board meetings during the period of their candidacy. Candidates have the same access as members of the public to County Office of Education staff and information.

New Board Member Orientation

The Board and the Superintendent or designee shall help each new member-elect to understand the County Office of Education operations and the Board's functions, policies and procedures as soon after election as possible. Incoming members shall be given a copy of the Brown Act and informed that they must conform to its requirements as if they had already assumed office. Incoming members shall also receive the Board Policy Manual and other materials related to the school system and Board member responsibilities.

Incoming members are encouraged to attend Board meetings and meet with the Superintendent or designee and Board president regarding their role and responsibilities. They also may, at County Office of Education expense, attend workshops for newly elected members.

cf: 1340 - Access to Records
9011 - Disclosure of Confidential/Privileged Information
9200 - Members
9240 - Board Development
9270 - Conflict of Interest

Legal References:
Government Code, 54952.1, 54952.7

Adopted: December 15, 1994
Reviewed: March 10, 1999
Reviewed: February 13, 2008

Board Development

Citizens elected to the County Board of Education are entrusted with the responsibility of governing County Office of Education schools and programs. The Board recognizes that its members need training that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardmanship skills.

All Board members may attend conferences for the purpose of Board development. Board business shall not be discussed at conferences.

Board members shall report to the Board, orally or in writing, as soon as possible on the inservice activities they attend.

cf: 9230 - Orientation
9320 - Meetings and Notices

Legal References:
Education Code, 33360
Government Code, 54950-54962, 54952.2

Adopted: December 15, 1994
Reviewed: March 10, 1999
Reviewed: February 13, 2008

Remuneration, Reimbursement, and Other Benefits

Remuneration

Each member of the County Board of Education may receive compensation of no more than \$25 per meeting. Board members are not required to accept payment for meetings attended.

Reimbursement of Expenses

Board members shall be reimbursed for all expenses incurred in attending meetings or making trips on official County Office of Education business when so authorized in advance by the Board. The rate of reimbursement shall not exceed limitations specified for County Office of Education personnel.

Health and Welfare Benefits

Board members may participate in the health and welfare benefits program provided for County Office of Education employees. The County Office of Education has a cap set for the highest dollar amount that the County Office of Education will pay for any employee group or unit. Board members who choose to enroll in health, dental, and/or vision plans offered by the County Office will pay the same above the cap costs set for the employee group with the highest cap set. A Board member may choose any available plan, and will be responsible for the difference between the plan cost and the highest cap. Further, if a Board member chooses a health, dental, and/or vision plan that is below the dollar amount of the highest cap, the plan will be provided at no cost to the Board member.

Legal References:

Education Code, 35044
Government Code, 53205, 53208.5

Adopted: December 15, 1994
Reviewed: March 10, 1999
Revised: June 11, 2003
Reviewed: February 13, 2008
Revised: April 13, 2011

Legal Protection

Liability Insurance

The County Office of Education shall provide liability insurance necessary to protect Board members, officers, and employees from any judgment resulting from suits brought against them alleging their liability. The insurance shall cover claims in such matters as civil rights actions, negligence, or other act resulting in accidental injury to any person or property damage in or out of the school buildings while the above-named insured are acting within the scope of their employment and/or under the direction of the Board.

Legal References:

Education Code, 35208, 35214
Government Code, 820.9

Adopted: December 15, 1994
Reviewed: March 10, 1999
Revised: March 12, 2008

Conflict of Interest

The County Board of Education members shall adhere to all the provisions of the Government Code, the California Code of Regulations and the Education Code.

County Board of Education members shall file a full Statement of Economic Interest.

In addition, the County Superintendent designates the following to file a full Statement of Economic Interest:

County Superintendent
Assistant Superintendents

Legal References:

Education Code, 35230-35240
Government Codes, 1090-1097, 1125-1128, 81000 81016, 82019, 82028,
82030, 82033, 82034, 87100-87500, 91000-91015
Code of Regulations, Title 2, Division 2, Chapter 7, Article 1 – Article 3

Adopted: December 15, 1994
Reviewed: March 10, 1999
Revised: February 11, 2004
Revised: April 9, 2008
Revised: October 13, 2010

Code of Ethics

This code of ethics expresses the personal ideas which the County Board of Education believes should guide each school Board member's activities.

In all actions as a Board member, the member's first commitment is to the well-being of our students. his/her primary responsibility is to every student in the county.

Board members also have other major commitments to:

- **The Community.** Each Board member is responsible to all residents of the county and not solely to those who elected him/her; nor solely to any organization to which s/he may belong, or which may have supported his/her election.
- **Individuals.** Each Board member has a direct concern for every individual in the community. As an integral part of his/her duties, s/he represents the authority and responsibility of government. This authority must be exercised with as much care and concern for the least influential as for the most influential member of the community.
- **County Office Employees.** The Board member's actions may affect the capability of County Office Employees to practice their trade or profession and should encourage their increasing competence and professional growth.
- **Laws, Policies.** Each Board member must be aware of, and comply with, the constitutions of State and Nation, the Education Code of the State of California, other laws pertaining to public education, and the established policies of the County Office.
- **Decision making.** Each Board member is obliged by law to participate in decisions pertaining to education. As an elected representative of the people, the Board member can neither relinquish nor delegate this responsibility to any other individual or group.
- **Individual Feelings and Philosophy.** Every individual Board member has something to contribute to society.

Understanding and acting upon the foregoing premises, each Board member shall:

- Consider his/her position on the Board as public trust and not use it for private advantage or personal gain.

- Be constantly aware that s/he has no legal authority except when acting as a member of the Board. Board members shall present their concerns and concepts through the process of Board debate. If in the minority of any decision, they shall abide by and support the majority decision. When in the majority, they shall respect divergent opinions.
- Encourage ideas and opinions from residents and endeavor to incorporate community views into the deliberations and decisions of the Board.
- Devote sufficient time, thought, and study to proposed actions so as to be able to base decisions upon all available facts and vote in accordance with honest convictions, unswayed by partisan bias of any kind.
- Promote and participate actively in a concerted program of timely exchange of information with all residents, parents, employees and students.
- Recognize that the deliberations of the Board in closed session may be released or discussed in public only with Board approval.
- Make use of opportunities to enlarge his/her potential as a Board member through participation in educational conferences, workshops and training sessions made available by local, state and national agencies.

Adopted: December 15, 1994

Reviewed: March 10, 1999

Revised: March 12, 2008

Governance

The County Board of Education has the power of establishing its own procedures within the parameters of law.

The formulation and adoption of written Board policies shall constitute the basic method by which the Board shall exercise its leadership and governance. This right shall be retained solely by the Board. The study and evaluation of reports concerning the execution of its policies shall constitute the basic method by which the Board shall exercise its accountability for governance.

All actions of the Board shall be taken only in official Board meetings called, scheduled and conducted according to these bylaws and the statutes of the state.

Legal References:

Education Code, 35010, 35140, 35143, 35144, 35145, 35146, 35160, 35163, 35164

Adopted: December 15, 1994

Reviewed: March 10, 1999

Reviewed: March 12, 2008

Policy Manual

The County Board of Education has pledged to consider the will and needs of the community. The Board's policy manual is developed, distributed and maintained for the purpose of communicating to all interested parties the parameters within which the Board will operate.

The Board desires the community and all County Office of Education employees to have access to the policy manual. The Board welcomes suggestions from the public regarding its adopted policies and regulations. A public copy of the manual shall be maintained in the County Office of Education's central office and will be available on the Colusa County Office of Education web site so that it may be examined by students, staff and other interested parties during normal business hours.

The County Superintendent or designee shall issue copies of the Board policy manual to the following:

1. Board members.
2. Central office administrator.
3. Board Secretary.

As necessary, the Board shall develop new policies and revise existing ones in order to reflect new legislation and changing community views.

The County Superintendent or designee shall maintain procedures for distributing to all authorized manual holders copies of new or revised policies, bylaws and regulations as they are adopted. Annually, before the Board's organizational meeting, the Superintendent or designee shall arrange to have all County Office of Education policy manuals monitored to ensure that they are up-to-date and complete.

cf: 9311 - Policies
9312 - Bylaws
9313 - Administrative Regulations

Legal References:
Education Code, 35010, 35160, 35163, 35164

Adopted: December 15, 1994
Reviewed: March 10, 1999
Revised: April 9, 2008

Board Policies

The Policies of the County Board of Education are written statements adopted by the Board which communicate the guidelines and limits of the Board.

The Board encourages members of the community to contribute information and opinions for the Board's consideration and propose revisions to policy.

The adoption of policy shall conform with Board bylaws governing agenda, meetings and voting. Only those written statements adopted and recorded in the minutes shall constitute official Board policy.

Prior to adoption, policies shall normally be given two readings by the Board.

At its second reading, the policy may be adopted by a majority vote of all members of the Board. The Board may waive the second reading or may require additional readings.

In addition to presenting drafts or suggestions for new policy and policy revisions when changes in law occur or when a specific need arises, the County Superintendent or designee, as policy coordinator, shall maintain procedures for the continuous orderly review of existing policies at a time allocated for this purpose on the agenda of regular Board meetings. When policies are amended, the Superintendent or designee shall review corresponding administrative regulations to ensure that they conform to the intent of the revised policy.

cf: 2210 - Administrative Leeway in Absence of Board Policy

Legal References:

Education Code, 35010, 35163, 35164

Adopted: December 15, 1994

Reviewed: March 10, 1999

Reviewed: March 12, 2008

Board Bylaws

The County Board of Education shall adopt Board bylaws to govern the internal operations of the Board. When the need for a new bylaw or modification of an existing bylaw is recognized, the County Superintendent or designee shall draft a new or modified bylaw for consideration by the Board.

Bylaws may be adopted and amended by a majority vote of all members of the Board, following the same procedures as those used for the adoption or amendment of policy.

cf: 9311 - Formulation, Adoption, Amendment of Policies

Legal References:
Education Code, 35010, 35163, 35164

Adopted: December 15, 1994
Reviewed: March 10, 1999
Reviewed: March 12, 2008

Meetings and Notices

The Colusa County Board of Education recognizes that State open meeting laws define a “meeting” as:

1. Any congregation of a majority of the members of the Board in the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the Board or county office of education.
2. Any use of direct communication, personal intermediaries or technological devices by a majority of Board members to develop a collective concurrence as to an action the members will take on an item.

Provided that a majority of the Board members do not discuss among themselves business of a specific nature that is within the county office of education’s subject matter jurisdiction, attendance by a majority of the Board’s members at any of the following events and individual contacts or conversations between a Board member and any other person are not subject to State open meeting laws:

1. A conference or similar public gathering that involves a discussion of issues of general interest to the public or to school boards.
2. An open, publicized meeting organized by a person or organization other than the county office of education to address a topic of local community concern.
3. A purely social or ceremonial occasion.

Board meetings shall be open to the public and held within county office of education boundaries, except as allowed by law. The Board welcomes public participation at its open meetings for purposes identified in law.

Regular Meetings

The Board shall adopt a schedule specifying the date, time and place of its regular meetings.

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.

A notice of each regular meeting, and any special meeting called at least one week in advance, shall be mailed to any person who has filed with the Board a written request for such notice. The notice shall be mailed at least one week before the meeting. Requests are valid for one year from the date filed unless renewed. Renewal requests must be filed within 90 days after January 1 of each year.

Special Meetings

Special meetings of the Board may be called by the presiding officer or a majority of the Board members.

Notice of special meetings shall be delivered either by mail or personally at least 24 hours before the meeting to all Board members, the Superintendent, and the local media who have requested such notice in writing. This notice also shall be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted; no other business shall be considered at these meetings.

When a special meeting is called at least one week in advance, a notice of the meeting shall be mailed at least one week before the meeting to any person who has appropriately filed with the Board a written request for notice of regular meetings.

Emergency Meeting

The Board may hold an emergency meeting without complying with the 24-hour notice requirement in the following cases:

1. A work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Board.
2. A crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the Board.

The Board president or designee shall give notice of the emergency meeting to the local media by telephone one hour before the meeting. If telephone services are not functioning, the notice requirement of one hour is waived. As soon after the meeting as possible, the Board shall notify local media which have requested notice for special meetings, describing the purpose of the meeting and any action taken by the Board.

No closed session may be held during an emergency meeting. All other rules governing special meetings shall be observed, with the exception of the 24-hour notice requirement. The minutes of the meeting, a list of persons the 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 ten days in a public place as soon after the meeting as possible.

Adjourned Meetings

A majority vote by the Board may adjourn any meeting to a later time and place which shall be specified in the order of adjournment. Within 24 hours after a meeting has been adjourned to a later time, a copy of the order of adjournment shall be posted at the meeting site.

If no members are present at any regular or adjourned regular meeting, the secretary may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings.

cf: 1120 - Governing Board Meetings
1340 - Access to District Records
9321 - Closed Session Purposes and Agendas
9321.1 - Closed Session Conduct and Reports
9322 - Agenda/Meeting Materials
9323 - Meeting Conduct

Legal References:

Education Code, 35140, 35144
Government Code, 54952.2, 54953, 54954, 54954.1, 54954.2, 54955,
54956,
54956.5

Adopted: December 15, 1994

Reviewed: March 10, 1999

Revised: October 11, 2006

Closed Session Purposes and Agendas

The County Board of Education shall hold closed sessions only for purposes identified in law and placed on the meeting agenda in the manner required by law. The Board may hold a closed session at any time during a regular or special meeting. No closed session may be held during an emergency meeting of the Board.

cf: 9322 - Agenda/Meeting Materials

Legal References:
Government Code, 54950-54962

Adopted: December 15, 1994

Reviewed: March 10, 1999

Reviewed: March 12, 2008

Agenda/Meeting Materials

Board agendas shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session.

The Board agenda shall provide members of the public the opportunity to testify at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. Notices of special meetings at which action is proposed shall provide an opportunity for the public to address the Board on the item before action is taken.

Any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request must be in writing and submitted to the County Superintendent with supporting documents and information, if any, at least one week before the scheduled meeting date.

Any Board member may submit an item for the Board agenda any time before the agenda is posted. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting.

When an item properly posted for a regular meeting is continued to a meeting occurring within five days of the regular meeting, it does not have to be on the agenda of a subsequent meeting which occurs within five days. The Board shall publicly identify the item before discussing it.

The County Superintendent or designee will decide whether a request is within the subject matter jurisdiction of the Board and whether an item is appropriate for discussion in open or closed session.

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

Consent Items

In order to promote efficient meetings, the Board may act upon more than one item by a single vote through the use of a consent agenda. Consent items are items of a routine nature or items for which no Board discussion is anticipated and for which the Superintendent recommends approval.

In accordance with law, the public has a right to comment on any consent item. At the request of any member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item.

Board Member Preparation

A copy of the agenda shall be forwarded to each Board member at least three days before each regular meeting, together with the Superintendent or designee's report, minutes to be approved, copies of communications, reports from committees, staff, citizens and others, and other available documents pertinent to the meeting.

When special meetings are called, the secretary and president shall make every effort to get the agenda and support materials to Board members as soon as possible.

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to obtain additional information on agenda items and should also let the Superintendent or designee know of any related concerns they may have.

- cf: 1120 - Governing Board Meetings
1312.1 - Complaints Concerning School Personnel
1312.2 - Complaints Concerning Instructional Material
1312.3 - Uniform Complaint Procedures
1340 - Access to District Records
3320 - Claims and Actions Against the District
5144.1 - Suspension/Expulsion
9122 - Secretary
9200 - Board Members
9320 - Meetings and Notices
9323 - Meeting Conduct
9323.2 - Actions by the Board

Legal References:

Education Code, 35144, 35145, 35145.5
Government Code, 54954.2, 54954.3, 54954.5, 54956.5, 54957.5

Adopted: December 15, 1994

Reviewed: March 10, 1999

Reviewed: March 12, 2008

Meeting Conduct

Meeting Procedures

All Board meetings shall begin on time and shall be guided by an agenda prepared and delivered in advance to all Board members and to other persons upon request.

The Board President shall conduct Board meetings in accordance with Board bylaws and procedures that enable Board members to efficiently present and consider their ideas and carry out the will of the majority. The law does not require the use of Robert's Rules of Order, and although Robert's Rules can serve as a useful guide to enable the orderly conduct of meetings, the Board may deviate from Robert's Rules as long as it operates with consistency under whatever reasonable rules its members agree will best accommodate its needs.

The Board believes that late night meetings deter public participation, and can be a burden to staff. Regular Board meetings shall not exceed three hours unless extended to a time certain by a majority of the Board. The meeting shall be extended no more than once and may be adjourned to a later date.

A majority of the number of filled positions on the Board constitutes a quorum.

Unless otherwise provided by law, affirmative votes by a majority of the Board are required to approve any action under consideration, regardless of the number of members present.

Abstentions

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains because of a conflict of interest or for any other reason, his/her abstention shall be considered to concur with the action taken by the majority of those who vote, whether affirmatively or negatively.

Public Participation

Any attendance register or questionnaire posted near the entrance or circulated during a Board meeting shall clearly state that members of the public are not required to sign in or provide any requested information as a condition to attending the meeting. If the member of the public wishes to address the Board on an item, they must submit a completed Request to Address the Board on an Item form (BOP 9323.00).

In order to conduct County Office business in an orderly and efficient way, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board either before or during the Board's consideration of each regular meeting agenda item. The Board shall give members of the public an opportunity to address the Board on special meeting items before taking action on those items.
2. At a time so designated on the agenda, members of the public may bring before the Board, at a regular meeting, matters that are not listed on the agenda but are within the subject matter jurisdiction of the Board. The Board may refer such a matter to the County Superintendent or designee or take it under advisement, but shall not take action at that time except as allowed by law. The matter may be placed on the agenda of a subsequent meeting for action or discussion by the Board.
3. Without taking action, Board members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda but are within the subject matter jurisdiction of the Board. Additionally, on their own initiative or in response to questions posed by the public, Board members may ask a question for clarification, may provide a reference to staff or other resources for factual information, or may ask staff to report back to the Board at a subsequent meeting concerning any matter. The Board or a Board member also may request that the matter be placed on a future agenda.
4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard it, the Board shall provide an opportunity for the public to speak in accordance with law.
5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Individual speakers will be allowed three minutes to address the Board. The Board shall limit the total time for each agenda item to 20 minutes. The president may take a poll of speakers for or against a particular issue and may ask that only those individuals with something new to add request to speak. With Board consent, the president may modify the time allowed for public presentation.

6. The Board President may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented. The Board shall not prohibit

public criticism of its policies, procedures, programs, services, acts or omissions. No oral presentation shall include charges or complaints against any employee of the County Office of Education, including the Superintendent, regardless of whether or not the employee is identified in any way. All charges or complaints against employees must comply with the Superintendent's policies and regulations regarding employee notification.

7. The Board President shall not permit any disturbance or willful interruption of Board meetings. Persistence, by an individual or group, shall be grounds for the chair to terminate the privilege of addressing the Board. The Board may remove disruptive individuals and order the room cleared if necessary; in this case, further Board proceedings shall concern only matters appearing on the agenda.

The County Superintendent or designee shall designate locations from which members of the public may broadcast, photograph or record open meetings 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.

cf: 1312.1 - Complaints Concerning School Personnel
9130 - Board Committees
9321 - Closed Session Purposes and Agendas
9323.2 - Actions by the Board
9324 - Minutes and recordings

Legal References:

Education Code, 5095, 32210, 35010, 35145.5, 35163, 35164, 35165
Government Code, 54953.5, 54953.6, 54954.2, 54954.3, 54957.9

Adopted: December 15, 1994
Reviewed: March 10, 1999
Revised: October 11, 2006
Revised: April 15, 2009
Revised: May 13, 2009

**COLUSA COUNTY BOARD OF EDUCATION
REQUEST TO ADDRESS THE BOARD ON AN ITEM**

- Item **Not On** the Agenda Item **On** the Agenda

Individual presentations are limited to three minutes. The maximum total time for all audience presentations on the same subject is twenty (20) minutes. Proponents of the same subject should determine their principal speakers in advance so they may be accorded first consideration in using their time. If the speakers cannot determine among themselves who will use their share of the time, an alternate method may be utilized by the Board.

At the beginning of the Public Input item of the agenda, the Board President will call for requests from the audience to speak first to any item listed on the agenda, and second to any item not on the agenda. When called upon, the individual wishing to speak should stand and speak from the floor, stating his or her name, and the name of the group or organization that is represented, if any.

Check One:

- Authorized to speak for the following organization: _____
Name of Organization
- Speaking only as a member of the following organization: _____
Name of Organization
- Speaking as a private citizen of Colusa County.
- Other: _____

Agenda item or subject to be addressed: _____

Person Addressing the Board

Name: _____ Phone Number: _____

Address: _____

Signature: _____ Date: _____

Please return to the Secretary of the Board (County Superintendent of Schools)

Adopted: April 15, 2009

Actions by the Board

An “action” by the Board means:

1. A collective decision by a majority of the Board members,
2. A collective commitment by a majority of the members to make a positive or negative decision, or
3. A vote by a majority of the members when sitting as the Board.

The Board may take action in a regular meeting on a subject not listed on the published agenda only when it publicly identifies the item to be acted upon in conjunction with one of the following circumstances:

1. The Board, by majority vote of its members, determines that the action responds to an emergency situation. Pursuant to Government Code 54956.5, an emergency situation is a work stoppage, crippling disaster, or other activity which severely impairs public health or safety.
2. The Board determines, either by a two-thirds majority of its members or, if unavailable, by the unanimous vote of all members present, that the need to take immediate action came to the county office of education’s attention after the posting of the agenda.
3. The matter was properly posted for a previous meeting occurring not more than five days earlier and was continued to the meeting at which action is being taken.

The Board shall not take action by secret ballot, whether preliminary or final.

Actions taken by the Board in open session shall be recorded in the Board minutes.

Challenging Board Actions

Any demand to correct a Board action because of an alleged violation of open meeting requirements shall be presented to the Board in writing within 90 days of the date when the action was taken. If the alleged violation of the Brown Act concerns action taken in violation of agenda requirements, the written demand must be made within 30 days of the date when the alleged action took place. The demand shall clearly describe the challenged action and the nature of the alleged violation. Within 30 days of receiving the demand, the Board shall review the action in question and shall inform the demanding party in writing of its decision to correct or not to correct the action.

cf: 9320 - Meetings and Notices
9322 - Agenda/Meeting Materials
9324 - Minutes and recordings

Legal References:

Education Code, 35145, 35145.5
Government Code, 54952.6, 54953, 54954.2, 54954.5, 54954.6, 54956,
54956.5, 54960.1, 54960.5

Adopted: December 15, 1994

Reviewed: March 10, 1999

Reviewed: September 6, 2006

Board Minutes and Recordings

The Secretary of the Colusa County Board of Education shall keep minutes and record all official Board actions.

Copies of the minutes of each regular or special meeting shall be distributed to all Board members with the agenda for the next regular meeting.

Any minutes or recordings kept for Board meetings held in closed session shall be kept separate from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records.

Official Board minutes shall be stored in a fire-proof location.

Recording of Votes

Motions or resolutions shall be recorded as having passed or failed. Votes shall be recorded as ayes or nays or unanimous. Board resolutions shall be numbered consecutively from the beginning of each fiscal year.

Video or Audio Recording

A video or audio tape recording may be made at any Board meeting. The presiding officer shall announce that a recording is being made at the beginning of the meeting, and the recorder shall be placed in plain view of all persons present, insofar as possible.

Recordings made during regular or special Board meetings are public records. They shall be kept for at least 30 days and upon request shall be made available for inspection by members of the public on a county office of education recorder without charge.

cf: 1340.00 - Access to District Records
9321.10 - Closed Session Conduct and Reports
9323.20 - Actions by the Board

Legal References:

Education Code, 35145, 35163
Government Code, 54953.5, 54957.2, 54960

Adopted: December 15, 1994

Reviewed: March 10, 1999

Revised: October 11, 2006

Membership in Associations

The County Board of Education may subscribe to membership in organizations of school boards whose purpose is to advance the course of the California public schools. Actual expenses of attending conferences of these organizations may be budgeted and paid out of the County General Fund.

The County Board of Education may co-sponsor with the State Department of Education and other school board associations, workshops and conferences and may charge reasonable fees not to exceed a pro-rated estimated cost for attendance at these functions.

Legal References:

Education Code, 1095, 1096, 33360, 333363

Adopted: December 15, 1994

Reviewed: March 10, 1999

Revised: April 9, 2008

BP and BOP Index

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