

AWARDS FOR ACHIEVEMENT

The Board of Trustees encourages excellence as a goal for all students and wishes to publicly recognize students for exemplary achievement in academic, **artistic**, ~~athletic~~, extracurricular, **athletic**, and/or community service activities.

No fee or other cost shall be charged to any student in relation to any requirements in qualifying for or receiving any District achievements awards.

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

(cf. 5127—Graduation Ceremonies and Activities)

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

District/School Awards

Student awards may include verbal recognition, a letter, a certificate, a Board resolution, public ceremony, trophy, gift, plaque, or **monetary** cash gift. **The Board shall establish a budget for this purpose. (Education Code 44015)**

The Superintendent or designee shall develop criteria for the selection of student award recipients.

Golden State Seal Merit Diploma

At graduation from high school, special recognition shall be awarded to those students whose academic achievements in core curriculum areas have been outstanding.

The Superintendent or designee shall identify **graduating** high school students who have demonstrated mastery of the high school curriculum qualifying them for the Golden State Seal Merit Diploma. (Education Code 51454)

(cf. 6162.51—State Academic Achievement Tests)

State Seal of Biliteracy Award

The District shall present the State Seal of Biliteracy to each graduating high school student who has attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English, **as specified in the accompanying administrative regulation.** (Education Code 51460-51464)

(cf. 6142.2—World/Foreign Language Instruction)

(cf. 6174—Education for English Language Learners)

AWARDS FOR ACHIEVEMENT (continued)**District Awards for Biliteracy**

In order to affirm the value of bilingualism and encourage students' enrollment in world language programs, the Superintendent or designee may present awards at appropriate grade levels to recognize the pursuit and/or attainment of grade-level proficiency in one or more languages in addition to English. The Superintendent or designee may also present awards to English Learners who are reclassified as fluent English proficient to recognize proficiency in both English and the student's native language.

State Seal of Civic Engagement

The Superintendent or designee shall present the State Seal of Civic Engagement to each 11th or 12th grade student who demonstrates excellence in civics education and participation and has demonstrated an understanding of the U.S. Constitution, the California Constitution, and the democratic system of government. (Education Code 51470-51475)

All District students shall be afforded the opportunity to earn the State Seal of Civic Engagement, regardless of their background, communities, or experiences. No student shall be denied such opportunity based on academic ability, alternative school setting, or unique or unconventional expression of civic engagement.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

STATE

5 CCR 11517.6-11519.5

5 CCR 1632

5 CCR 876

Ed. Code 220

Ed. Code 35160

Ed. Code 35310-35319

Ed. Code 44015

Ed. Code 51007

Ed. Code 51243-51245

Ed. Code 51450-51455

Ed. Code 51460-51464

DESCRIPTIONEnglish Language Proficiency
Assessments for CaliforniaAlternative credits toward graduation for
foreign language instruction in private
school

Golden State Seal Merit Diploma

Prohibition of Discrimination

Authority of governing boards

Scholarship and loan funds

Awards to employees and students

Equitable access to programs designed to
strengthen technological skillsCredit for private school foreign language
instruction

Golden State Seal Merit Diploma

State Seal of Biliteracy

AWARDS FOR ACHIEVEMENT (continued)**STATE** (continued)

Ed. Code 51470-51475

State Seal of Civic Engagement

Ed. Code 52164.1

Assessment of English language skills of English learners

Gov. Code 54950-54963

The Ralph M. Brown Act

MANAGEMENT RESOURCES**DESCRIPTION**

California Department of Education Publication

SSCE Implementation Guidance

California Department of Education Publication

State Seal of Biliteracy FAQs

Website

CSBA District and County Office of Education Legal Services

Website

Californians Together

Website

CSBA

Website

California Department of Education

CROSS REFERENCE-CODES**DESCRIPTION**

0410

Nondiscrimination In District Programs And Activities

0415

Equity

1150

Commendations And Awards

1220

Citizen Advisory Committees

1260

Educational Foundation

3290

Gifts, Grants, And Bequests

3400

Management of District Assets/Accounts

3460

Financial Reports And Accountability

4156.2

Awards And Recognition

4256.2

Awards And Recognition

4356.2

Awards And Recognition

5022

Student And Family Privacy Rights

5113.1

Chronic Absence And Truancy

5113.11

Attendance Supervision

5113.12

District School Attendance Review Board

AWARDS FOR ACHIEVEMENT (continued)

CROSS REFERENCE-CODES (continued)

5121	Grades/Evaluation Of Student Achievement
5125	Student Records
5127	Graduation Ceremonies And Activities
5137	Positive School Climate
6141.4	International Baccalaureate Program
6141.5	Advancement Placement
6142.2	World Language Instruction
6142.4	Service Learning/Community Service Classes
6143	Courses of Study
6146.1	High School Graduation Requirements
6146.11	Alternative Credits Toward Graduation
6158	Independent Study
6159	Individualized Education Program
6162.51	State Academic Achievement Tests
6172	Gifted And Talented Student Program
6174	Education For English Learners
6181	Alternative Schools/Programs Of Choice
6183	Home And Hospital Instruction
6184	Continuation Education
9140	Board Representatives

AWARDS FOR ACHIEVEMENT

District/School Awards

The Superintendent or designee may appoint an awards committee at each school which may consist of school administrators, teachers, parents/guardians, community members, and student representatives. The committee shall submit recommendations for student awards to the Superintendent or designee for approval.

(cf. 1220—Citizen Advisory Committees)

Individual awards in excess of \$200 must be expressly approved by the Board of Trustees. (Education Code 44015)

Golden State Seal Merit Diploma

To be eligible to receive the Golden State Seal Merit Diploma upon graduation from high school, a student shall complete all requirements for a high school diploma and demonstrate, in accordance with the means adopted by the State Board of Education, mastery of the curriculum in mathematics, English Language Arts (ELA), science, United States history, and two other subject matter areas selected by the student. (Education Code 51451, 51452; 5 CCR 876)

(cf. 6143—Courses of Study)

(cf. 6146.1—High School Graduation Requirements)

(cf. 6146.11—Alternative Credits Toward Graduation)

(cf. 6162.51—State Academic Achievement Tests)

(cf. 6162.52—High School Exit Examination)

~~The Superintendent or designee shall maintain appropriate records to identify students who are eligible for the merit diploma and shall affix an insignia to the diploma and transcript of each student awarded the merit diploma. (Education Code 51454)~~

1. Mathematics and English Language Arts (ELA)

- a. A grade of at least B+ or the numerical equivalent in a single course each semester completed in grades 9, 10, or 11
- b. An achievement level of “Standard Met” or above for the high school Smarter Balanced Summative Assessment

2. Science

- a. A grade of at least B+ or the numerical equivalent in a single course each semester completed in grades 9, 10, or 11

AWARDS FOR ACHIEVEMENT (continued)

- b. An achievement level of “Standard Met” or above for the high school California Science Test taken in grade 10 or 11
3. U.S. history
- a. A grade of at least B or the numerical equivalent in the required U.S. history course each semester
 - b. A qualifying score that demonstrates mastery of the subject as determined by the District for an exam produced by a private provider or the District
4. Two additional subject areas of the student’s choosing
- a. Any additional qualifying grade or score listed above, earned for the subject of ELA, mathematics, science, or U.S. history not already used to meet eligibility
 - b. A grade of at least B or the numerical equivalent upon completion of high school courses in other subjects
 - c. A qualifying score that demonstrates mastery of other subjects, as determined by the District, for an exam produced by a private provider or the District

(cf. 5125—Student Records)

The Superintendent or designee shall maintain appropriate records to identify students who are eligible for the merit diploma and shall affix an insignia to the diploma and transcript of each student awarded the merit diploma. (Education Code 51454)

The Superintendent or designee shall submit an insignia request form to the California Department of Education in sufficient time to allow processing of the request prior to the high school graduation ceremony.

State Seal of Biliteracy Award

To be eligible to receive the State Seal of Biliteracy upon graduation, a student shall demonstrate, in accordance with state criteria, proficiency in English and at least one other language, which may include American Sign Language. ~~A student whose primary language is other than English shall also attain the required proficiency level on the state test of English language proficiency.~~ (Education Code 51461)

Proficiency in English shall be demonstrated by meeting one of the following state-established criteria: (Education Code 51461)

- 1. Completion of all English Language Arts (ELA) requirements for graduation with an overall grade point average of at least 3.0 in those classes or completion of one or more ELA courses at a public higher education institution or an independent

AWARDS FOR ACHIEVEMENT (continued)

institution of higher education, as described in Education Code 66010, with a grade equivalent to a grade point average of 3.0 or above

2. Passage of the California Assessment of Student Performance and Progress (CAASPP) for ELA, or any successor test, administered in grade 11, at or above the “Standard Met” achievement level
3. Passage of an English Advanced Placement (AP) exam with a score of 3 or higher or an English International Baccalaureate (IB) exam with a score of 4 or higher
4. Achievement of a score of 480 or higher on the Evidence-Based Reading and Writing section of the Scholastics Aptitude Test (SAT)

Proficiency in one or more languages other than English shall be demonstrated through one of the following requirements: (Education Code 51461)

1. Passage of a world language AP exam with a score of 3 or higher, a world language IB exam with a score of 4 or higher, or a world language American Council on the Teaching of Foreign Languages (ACTFL) Writing Proficiency Test (WPT) and an Oral Proficiency Interview (OPI) with scores of Intermediate Mid or higher
2. Successful completion of a four-year course of study of content in a world language at a high school or higher level, attaining an overall grade point average of at least 3.0 in that course of study, and oral proficiency in the language comparable to that required in Item #1 above, successful completion of high school level courses completed in another country in a language other than English with the equivalent of an overall grade point average of 3.0 or above, as verified through a transcript, or completion of one or more world language courses at a public higher education institution or an independent institution of higher education as described in Education Code 66010, with a grade equivalent to a grade point average of at least 3.0 and oral proficiency in the language comparable to that specified in Item #1 above, as verified through a transcript
3. If no AP exam or off-the-shelf language test exists, passage of a District language exam that can be certified to meet the rigor of a four-year high school course of study in a given language, and that, at a minimum, assesses speaking, reading, and writing in a language other than English at the proficient level or higher
4. If a language is not characterized by listening, speaking, or reading, or for which there is no written system, passage of an assessment on the modalities that characterize communication in that language at the proficient level or higher

AWARDS FOR ACHIEVEMENT (continued)

To be eligible to receive the State Seal of Biliteracy, a student who is an English Learner (EL) shall, in addition to demonstrating proficiency in English and one or more languages other than English through one of the accomplishments specified above, attain an Oral Language composite score of level 4 on the English Language Proficiency Assessments for California (ELPAC), or any successor English oral language proficiency assessment. (Education Code 51461)

The Superintendent or designee shall maintain appropriate records to identify high school students who qualify for the award and shall affix the insignia to the high school diploma or transcript of each student. (Education Code 51463)

State Seal of Civic Engagement

To be eligible to receive the State Seal of Civic Engagement, a student shall meet District requirements for all of the following state-established criteria:

1. Be engaged in academic work in a productive way
2. Demonstrate a competent understanding of U.S. and California Constitutions, functions and governance of local governments, tribal government structures and organizations, the role of the citizen in a constitutional democracy, and democratic principles, concepts, and processes
3. Participate in one or more informed civic engagement project(s) that address real-world problems and require students to identify and inquire into civic needs or problems, consider varied responses, take action, and reflect on efforts
4. Demonstrate civic knowledge, skills, and dispositions through self-reflection
5. Exhibit character traits that reflect civic-mindedness and a commitment to positively impact the classroom, school, community, and/or society

The Superintendent or designee shall maintain appropriate records to identify students who have earned the State Seal of Civic Engagement and shall affix the insignia to the high school diploma or transcript of each such student. (Education Code 51473)

Notifications

The Superintendent or designee shall annually distribute information about eligibility requirements for the Golden State Seal Merit Diploma, State Seal of Biliteracy, **State Seal of Civic Engagement**, and/or any District awards programs to students at the applicable grade levels.

(cf. 6141.5 – Advanced Placement)

(cf. 6142.2 – World/Foreign Language Instruction) (cf. 6174 – Education for English Language Learner)

~~The Superintendent or designee shall maintain appropriate records to identify high school students who qualify for the award and shall affix the insignia to the diploma or transcript of each student who earns the award. (Education Code 5146~~

AWARDS FOR ACHIEVEMENT (continued)**Policy Reference Disclaimer:**

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STATE	DESCRIPTION
5 CCR 11517.6-11519.5	English Language Proficiency Assessments for California
5 CCR 1632	Alternative credits toward graduation for foreign language instruction in private school
5 CCR 876	Golden State Seal Merit Diploma
Ed. Code 220	Prohibition of Discrimination
Ed. Code 35160	Authority of governing boards
Ed. Code 35310-35319	Scholarship and loan funds
Ed. Code 44015	Awards to employees and students
Ed. Code 51007	Equitable access to programs designed to strengthen technological skills
Ed. Code 51243-51245	Credit for private school foreign language instruction
Ed. Code 51450-51455	Golden State Seal Merit Diploma
Ed. Code 51460-51464	State Seal of Biliteracy
Ed. Code 51470-51475	State Seal of Civic Engagement
Ed. Code 52164.1	Assessment of English language skills of English learners
Gov. Code 54950-54963	The Ralph M. Brown Act
MANAGEMENT RESOURCES	DESCRIPTION
California Department of Education Publication	SSCE Implementation Guidance
California Department of Education Publication	State Seal of Biliteracy FAQs
Website	CSBA District and County Office of Education Legal Services
Website	Californians Together
Website	CSBA
Website	California Department of Education

AWARDS FOR ACHIEVEMENT (continued)

CROSS REFERENCE-CODES	DESCRIPTION
0410	Nondiscrimination In District Programs And Activities
0415	Equity
1150	Commendations And Awards
1220	Citizen Advisory Committees
1260	Educational Foundation
3290	Gifts, Grants, And Bequests
3400	Management of District Assets/Accounts
3460	Financial Reports And Accountability
4156.2	Awards And Recognition
4256.2	Awards And Recognition
4356.2	Awards And Recognition
5022	Student And Family Privacy Rights
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5113.12	District School Attendance Review Board
5121	Grades/Evaluation Of Student Achievement
5125	Student Records
5127	Graduation Ceremonies And Activities
5137	Positive School Climate
6141.4	International Baccalaureate Program
6141.5	Advancement Placement
6142.2	World Language Instruction
6142.4	Service Learning/Community Service Classes
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6181	Alternative Schools/Programs Of Choice
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6184	Continuation Education
9140	Board Representatives

AWARDS FOR ACHIEVEMENT (continued)

Students

BULLYING

This policy shall apply to all acts constituting bullying related to school activity or to school attendance occurring within a District school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Board of Trustees and the Superintendent in enacting policies and procedures that govern the District.

The Board of Trustees recognizes the harmful effects of bullying on student well-being learning and school attendance and desires to provide a **welcoming, safe, and supportive** school environment that protects students from physical, **mental**, and emotional harm. ~~District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.~~ No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

~~(cf. 5131—Conduct)~~

~~(cf. 5136—Gangs)~~

~~(cf. 5145.3—Nondiscrimination/Harassment)~~

~~(cf. 5145.7—Sexual Harassment)~~

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

The Superintendent or designee shall develop strategies for addressing bullying in District schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

~~(cf. 1220—Citizens advisory Committees)~~

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

~~(cf. 6020—Parent Involvement)~~

~~(cf. 5145.2—Freedom of Speech/Expression)~~

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

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan, and other applicable District and school plans.

~~(cf. 0420—School Plans/Site Councils)~~ ~~(cf. 0450—Comprehensive Safety Plan)~~

~~(cf. 0460—Local Control and Accountability Plan)~~

~~(cf. 1220—Citizen Advisory Committees)~~

~~(cf. 6020—Parent Involvement)~~

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the District's uniform complaint procedures specified **Administrative Regulation AR 1312.3**. If, during the investigation, it is determined that a

BULLYING (continued)

complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. ~~1312.3—Uniform Complaint Procedure~~)

~~The Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.~~

(cf. ~~1020—Youth Services~~)

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and District policy on intradistrict or interdistrict transfer, as applicable.

(cf. ~~5116.1—Intradistrict Open Enrollment~~)

(cf. ~~5117—Interdistrict Attendance~~)

District families are encouraged to model respectful behavior, contribute to a safe and supportive learning environment, and monitor potential causes of bullying.

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

(cf. ~~4118—Dismissal/Suspension/Disciplinary Action~~)

(cf. ~~4119.21/4219.21/4319.21—Professional Standards~~)

(cf. ~~4218—Dismissal/Suspension/Disciplinary Action~~)

Legal Reference:

EDUCATION CODE

~~200-262.4 Prohibition of discrimination~~

~~32282 Comprehensive safety plan~~

~~32283.5 Bullying; online training~~

~~35181 Governing board policy on responsibilities of students~~

~~35291-35291.5 Rules~~

~~46600 Student transfers~~

~~48900-48925 Suspension or expulsion~~

~~48985 Translation of notices~~

~~52060-52077 Local control and accountability plan PENAL~~

CODE

~~422.55 Definition of hate crime~~

~~647 Use of camera or other instrument to invade person's privacy; misdemeanor~~

~~647.7 Use of camera or other instrument to invade person's privacy; punishment~~

~~653.2 Electronic communication devices, threats to safety~~

CODE OF REGULATIONS, TITLE 5

~~4600-4687 Uniform complaint procedures~~

BULLYING (continued)UNITED STATES CODE, TITLE 47254 Universal service discounts (e-rate) CODE OF FEDERAL REGULATIONS, TITLE 28*Legal References: (continued next page)***Policy Reference Disclaimer:**

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STATE

5 CCR 4600-4670

Bus. And Prof. Code 22589-22589.4

Ed. Code 200-262.4

Ed. Code 32280-32289.5

Ed. Code 35181

Ed. Code 35291-35291-5

Ed. Code 46600

Ed. Code 48900-48925

Ed. Code 48985

Ed. Code 52060-52077

Pen. Code 422.55

Pen. Code 647

Pen. Code 647.7

Pen. Code 653.2

DESCRIPTION

Uniform complaint procedures

Cyberbullying Protection Act

Prohibition of discrimination

School safety plans

Governing board authority to set policy on responsibilities of students

School discipline rules

Student transfers

Suspension and expulsion

Notices to parents in language other than English

Local Control and Accountability Plan

Definition of hate crime

Use of camera or other instrument to invade person's privacy; misdemeanor

Use of camera or other instrument to invade person's privacy; punishment

Electronic communication devices; threats to safety

FEDERAL

28 CFR 35.107

34 CFR 104.7

34 CFR 106.8

34 CFR 110.25

47 USC 254

DESCRIPTION

Nondiscrimination on basis of disability; complaints

Section 504; Designation of responsible employee and adoption of grievances procedures

Designation of coordinator; dissemination of policy, and adoption of grievance procedures

Notification of nondiscrimination on the basis of age

Universal service discounts (E-rate)

BULLYING (continued)**MANAGEMENT RESOURCES**

CA Office of the Attorney General
Publication

DESCRIPTION

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

California Department of Education
Publication

Bullying at School, 2003

California Department of Education
Publication

Online Bullying Training Module and Bullying Module

California Department of Education

California's Social Emotional Learning: Guiding Principles, 2018

California Department of Education

Health Education Content Standards for California Public Schools:- Kindergarten Through Grade Twelve, 2008

California Department of Education

Social Emotional Learning in California: A Guide to Resources, October 2018

Court Decision

J.c.v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Court Decision

Lavine v. Blaine School District, (2002) 279 F.3d 719

Court Decision

Wynar v. Douglas County School District, (2013) 728 F.3d1062

CSBA Publication

Addressing to Conditions of Children: Focus on Bullying, Governance Brief, December 2012

CSBA Publication

School Safety: Bullying and Cyberbullying, Policy Brief, October 2023

CSBA Publication

Building Health Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

BULLYING (continued)

MANAGEMENT RESOURCES (continued)

CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
CSBA Publication	Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014
U.S. Dept of Health and Human Services Publication	Social Media and Youth Mental Health: The U.S. Surgeon General’s Advisory, 2023
U.S. Dept of Health and Human Services Publication	Our Epidemic of Loneliness and Isolation The U.S. Surgeon General’s Advisory on the Health Effects of Social Connection and the Community, 2023
U.S. DOE Publication	Creating Inclusive and Nondiscriminatory School Environments for LGBTQI=Students, June 2023
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE, Office of Civil Rights Publication	Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023

BULLYING (continued)**MANAGEMENT RESOURCES** (continued)

U.S. DOE, Office for Civil Rights

Dear Colleague Letter: Harassment and Bullying, October 2010

Website

CSBA District and County Office of Education Legal Services

Website

National School Safety Center

Website

Partnership for Children and Youth

Website

Center on Great Teachers and Leaders

Website

Collaborative for Academic Social and Emotional Learning

Website

Common Sense Media

Website

California Department of Education, Safe Schools

Website

California Office of the Attorney General

Website

CSBA

Website

U.S. Department of Education

Website

U.S. Department of Health and Human Services, Stop Bullying

CROSS REFERENCES-CODES

0410

DESCRIPTION

Nondiscrimination in District Programs And Activities

0440

District Technology Plan

0450

Comprehensive Safety Plan

0470

COVID-19 Mitigation Plan

1113

District And School Websites

1113-E(1)

District And School Websites

1313

Civility

3515

Campus Security

4131

Staff Development

4219.21

Professional Standards

4219.21-E(1)

Professional Standards

4231

Staff Development

BULLYING (continued)**CROSS REFERENCES-CODES** (continued)

4319.21	Professional Standards
4319.21-E(1)	Professional Standards
5030	Student Wellness
5113.1	Chronic Absence And Truancy
5113.12	District School Attendance Review Board
5116.1	Interdistrict Open Enrollment
5116.2	Involuntary Student Transfers
5117	Interdistrict Attendance
5125	Student Records
5131	Conduct
5131.8	Mobile Communication Devices
5136	Gangs
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.27	Food Allergies/Special Dietary Needs
5141.5	Mental Health
5141.52	Suicide Prevention
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5144.4	Required Parental Attendance
5145.12	Search And Seizure
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.9	Hate-Motivated Behavior
6142.8	Comprehensive Health Education
6144	Controversial Issues
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6164.2	Guidance/Counseling Services
6173.1	Education For Foster Youth
6184	Continuation Education

*Legal References: (continued)**35.107 Nondiscrimination on basis of disability; complaints**CODE OF FEDERAL REGULATIONS, TITLE 34**104.7 Designation of responsible employee for Section 504**106.8 Designation of responsible employee for Title IX**110.25 Notification of nondiscrimination on the basis of age**COURT DECISIONS**Wynar v. Douglas County School District, (2013) 728 F.3d 1062**J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094**Lavine v. Blaine School District, (2002) 279 F.3d 719*

BULLYING (continued)*Management Resources:*CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender Nonconforming Students, Policy Brief, February 2014
Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

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

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California's Social and Emotional Learning: Guiding Principles, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

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

Guidance to Schools: Bullying of Students with Disabilities, October 2014

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

Dear Colleague Letter: Guidance on School's Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex: Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

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

Center on Great Teachers and Leaders: <https://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <https://case.org>

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

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

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

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

Policy adopted: May 26, 2020

First Reading July 23, 2024

BEAUMONT UNIFIED SCHOOL DISTRICT
Beaumont, California

BULLYING

Examples of Prohibited Conduct

Bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. ~~Cyberbullying also includes,~~ **which may be shared, sent, or posted publicly. Cyberbullying may include but is not limited to, personal or private information that causes humiliation, false or negative information to discredit or disparage, or threats of physical harm. Cyberbullying may also include breaking into another person’s electronic account or assuming that person’s online identity in order to damage that person’s reputation.**

(cf. 5145.2—Freedom of Speech/Expression)
(cf. 6163.4—Student Use of Technology)

Examples of the types of conduct that may constitute bullying and are prohibited by the District include, but are not limited to:

1. Physical bullying: An act that inflicts harm upon a person’s body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone’s possessions, or making cruel or rude hand gestures
2. Verbal bullying: An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying: An act that harms a person’s reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying: An act **that occurs on electronic devices** such as **computers, tablets, or cell phones, such as** sending demeaning or hateful text messages, **direct messages or public posts on social media apps, gaming forums,** or emails, spreading rumors by email or by posting on social networking sites, **shaming or humiliating by allowing others to view, participate in, or share disparaging or harmful content,** or posting or sharing embarrassing photos, videos, website, or fake profiles

Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in District schools, including, but not limited to, the following:

BULLYING (continued)

1. Include in the SPSA strategic actions to promote school connectedness and social skills with benchmark tracking, which may include providing regular opportunities for students to develop social skills and strengthen relationships and promoting adults support from family and school staff, peer-led programs, and partnerships with key community groups, implementing socially based educational techniques such as cooperative learning projects that can improve educational outcomes, as well as peer relations, creating a supportive school environment that fosters belonging through equitable classroom management, mentoring, and peer support groups that allow students to lean on each other and learn from each other's experiences, and building social connection into health education courses from each other's experiences, and building social connection into health education courses including information on the consequences of social connection on physical and mental health, key risk and protective factors, and strategies for increasing social connection.
2. Ensuring that each school establishes clear rules for student and staff conduct and implements strategies to promote a positive, supportive, and collaborative school climate

(cf. 5131—Conduct)

(cf. 5137—Positive School Climate)

- ~~1.3.~~ Providing information to students, through student handbooks, District and school ~~websites~~ web sites and social media, and other age-appropriate means, about District and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
- ~~2.4.~~ Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may reports threats or incidents confidentially and anonymously
- ~~3.5.~~ Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias
- ~~4.6.~~ Annually notifying District employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development

The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. (Education Code 32283.5)

BULLYING (continued)

~~(cf. 4131—Staff Development)~~

~~(cf. 4231—Staff Development)~~

~~(cf. 4331—Staff Development)~~

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the District and its employees to prevent discrimination, harassment, intimidation, and bullying of District students. Such training shall be designed to provide staff with the skills to:

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

Information and Resources

The Superintendent or designee shall post on the District's ~~website~~ ~~web-site~~, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

1. The District's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6

~~(cf. 5141.52—Suicide Prevention)~~

2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8
3. Title IX information included on the District's ~~website~~ ~~web-site~~ pursuant to Education Code 221.61 and a link to the Title IX information included on CDE's ~~website~~ ~~web-site~~ pursuant to Education Code 221.6
4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying

~~(cf. 5145.3—Nondiscrimination/Harassment)~~

~~(cf. 5145.7—Sexual Harassment)~~

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

BULLYING (continued)

5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media
6. A link to statewide resources, including community-based organizations, compiled by the CDE pursuant to Education Code 234.5
7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

~~(cf. 1113—District and School Web Sites)~~

Student Instruction

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

~~(cf. 6142.8—Comprehensive Health Education)~~

~~(cf. 6142.94—History Social Science Instruction)~~

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

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff ~~shall be~~ **are responsible for teaching and modeling respectful behavior and building safe and supportive learning environments, and are** expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or District compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with ~~AR~~ **Administrative Regulation** 1312.3 – Uniform Complaint Procedures. The student who is

BULLYING (continued)

the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

(cf. 1312.3—Uniform Complaint Procedures)

Within one business day of receiving such a report, a staff member shall notify the principal of the report, **regardless of** whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a District compliance officer, **regardless of** whether ~~or not~~ the alleged victim files a complaint

Within two business days of receiving a report of bullying, the principal shall notify the District compliance officer identified in **Administrative Regulation AR-1312.3**

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

Discipline/Corrective Actions

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with District policies and regulations.

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

(cf. 5116.2—Involuntary Student Transfers) (cf.

5138—Conflict Resolution/Peer Mediation) (cf.

5144—Discipline)

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

(cf. 5144.2—Suspension and Expulsion/Due Process (Student with Disabilities)) (cf.

6159.4—Behavioral Interventions for Special Education Students)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims or perpetrators and may contact law enforcement.

BULLYING (continued)**Support Services**

The Superintendent, principal, or designee may refer a victim, witness, perpetrator, or other

student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2—Guidance/Counseling Services)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement District intervention protocols which may include, but are not limited to, referral to District or community mental health services, other health professionals, and/or law enforcement, in accordance with Board Policy and Administrative Regulation 5141.52-Suicide Prevention.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

STATE	DESCRIPTION
5 CCR 4600-4670	Uniform complaint procedures
Bus. And Prof. Code 22589-22589.4	Cyberbullying Protection Act
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35181	Governing board authority to set policy on responsibilities of students
Ed. Code 35291-35291.5	School discipline rules
Ed. Code 46600	Student transfers
Ed. Code 48900.48925	Suspension and expulsion
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 52060-52077	Local control and accountability plan
Pen. Code 422.55	Definition of hate crime
Pen. Code 647	Use of camera or other instrument to invade person's privacy
Pen. Code 647.7	Use of camera or other instrument to invade person's privacy; punishment
Pen. Code 653.2	Electronic communication devices; threats to safety

BULLYING (continued)**FEDERAL**

28 CFR 35.107

DESCRIPTIONNondiscrimination on basis of disability;
complaints

34 CFR 104.7

Section 504; Designation of responsible
employee and adoption of grievances procedures

34 CFR 106.8

Designation of coordinator; dissemination of
policy, and adoption of grievance procedures

34 CFR 110.25

Notification of nondiscrimination on the basis of
age

47 USC 254

Universal service discounts (E-rate)

MANAGEMENT RESOURCESCA Office of the Attorney General
Publication**DESCRIPTION**Promoting a Safe & Secure Learning for All:
Guidance & Model Policies to Assist CA K-12
Schools in Responding to Immigration Issues,
April 2018California Department of Education
Publication

Bullying at School, 2003

California Department of Education
PublicationOnline Bullying Training Module and Bullying
ModuleCalifornia Department of Education
Publication

California's Social and Emotional Learning

California Publication of Education
PublicationHealth Education Content Standards for
California Public Schools; -Kindergarten through
Grade Twelve, 2008California Department of Education
PublicationSocial and Emotional Learning in California; - A
Guide to Resources, October 2018

Court Decision

J.C. v. Beverly Hills Unified School District,
(2010) 711 F.Supp.2d 1094

Court Decision

Lavine v. Blaine School District, (2002) 279 F.3d
719

Court Decision

Wynar v. Douglas County School District, (2013)
728 F.3d 1062

CSBA Publication

Addressing the Conditions of Children; - Focus on
Bullying Governance Brief, December 2012

CSBA Publication

School Safety; Bullying and
Cyberbullying, Policy Brief, October 2023

BULLYING (continued)**MANAGEMENT RESOURCES** (continued)

CSBA Publication	Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009
CSBA Publication	Cyberbullying: -Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
CSBA Publication	Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance March 2014
U.S. Dept of Health and Human Services	Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory, 2023
U.S. Dept of Health and Human Services	Our Epidemic of Loneliness and Isolation: The U.S. Surgeon General's Advisory on the Health Effects of Social Connection and the Community, 2023
U.S. DOE Publication	Creating Inclusive and Nondiscriminatory School Environments for LGBTQI + Students, June 2023
U.S. DOE, Office for Civil Rights	Dear Colleague Letter: Discrimination, Including, Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE. Office for Civil Rights	Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023

BULLYING (continued)

U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: -Harassment and Bullying, October 2010
Website	CSBA District and County Office of Education Legal Services
Website	National School Safety Center
Website	Partnership for Children and Youth
Website	Center on Great Teachers and Leaders
Website	Collaborative for Academic Social and Emotional Learning
Website	Common Sense Media
Website	California Department of Education, Safe Schools
Website Website	California Office of the Attorney General CSBA
Website	U.S. Department of Education
Website	U.S. Department of Health and Human Services, Stop Bullying

CROSS REFERENCES-CODES

0100
0410

0440
0450
0470
1113
1113-E(1)
1313
3515
4131
4319.21
4219.21-E(1)
4231

DESCRIPTION

Philosophy
Nondiscrimination in District Programs And
Activities
District Technology Plan
Comprehensive Safety Plan
COVID-19 Mitigation Plan
District And School Websites
District And School Websites
Civility
Campus Security
Staff Development
Professional Standards
Professional Standards
Staff Development

BULLYING (continued)**CROSS REFERENCES-CODES** (continued)

4319.21	Professional Standards
4319.21-E(1)	Professional Standards
5030	Student Wellness
5113.1	Chronic Absence And Truancy
5113.12	District School Attendance Review Board
5116.1	Intradistrict Open Enrollment
5116.2	Involuntary Student Transfers
5117	Interdistrict Attendance
5125	Student Records
5131	Conduct
5131.8	Mobile Communication Devices
5136	Gangs
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.27	Food Allergies/Special Dietary Needs
5141.5	Mental Health
5141.52	Suicide Prevention
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5144.4	Required Parental Attendance
5145.12	Search and Seizure
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.9	Hate-Motivated Behavior
6142.8	Comprehensive Health Education
6144	Controversial Issues
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6164.2	Guidance/Counseling Services
6173.1	Education For Foster Youth
6184	Continuation Education

ACADEMIC HONESTY

The Board of Trustees believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize, or commit other acts of academic dishonesty.

~~(cf. 5131—Conduct)~~

~~(cf. 6162.6—Use of Copyrighted Materials)~~

Students, parents/guardians, staff, and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to District and school-site discipline rules.

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

~~(cf. 5144—Discipline)~~

The Superintendent or designee may establish a committee comprised of students, parents/guardians, staff, administrators, and members of the public to develop standards of academic honesty, measures of preventing dishonesty, and specific consequences for acts of dishonesty. Any recommendations for discipline shall be incorporated into the school's site level discipline rules.

~~(cf. 1220—Citizen Advisory Committee)~~

Prohibited and Permitted Technology Use

As the District's standards for academic achievement are designed to challenge all students to reach their full potential in acquiring the knowledge and skills needed for success in postsecondary education, employment, and responsible citizenship, any use of technology that prevents or inhibits a student from achieving these standards is prohibited. Prohibited uses include, but are not limited to, using technology primarily or solely for the completion of coursework as a student's original work and generating answers to mathematical, scientific, or analytical problems.

Permitted uses of technology include, but are not limited to, conducting research, correcting grammar and spelling, and learning from educational applications such as tutoring systems and language learning applications.

Additionally, consistent with the limitations expressed in this policy and with teacher consent, students may also use technology to assist with assessments, homework, and/or makeup work or other uses approved by the teacher.

ACADEMIC HONESTY

However, a student with a disability shall be permitted to use technology for any purpose identified in the student's individualized education program as a tool to support the student's learning. If an employee suspects that a student has used technology in violation of this policy, the student shall be given the opportunity to demonstrate that the use of technology was in accordance with this policy.

Any information acquired from an employee's use of technology in determining whether a student has committed an act of academic dishonesty shall be shared with the student and the student's parent/guardian as appropriate.

The Superintendent or designee may provide training to staff regarding the use of technology to improve education, including the detection of plagiarism and sensitivity to potential discrimination from algorithmic bias.

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STATE

Ed. Code 35291-35291.5

Ed Code 56341.1

DESCRIPTION

Rules

Assistive technology devices for a student with a disability

FEDERAL

20 USC 1401

DESCRIPTION

Assistive technology device; definition

MANAGEMENT RESOURCES

Metropolitan Educational Research Consortium

DESCRIPTION

Balancing the Benefits and Risks of AI Large Language Models in K12 Public Schools, 2023

USDOE Office of Educational Technology Publications

Artificial Intelligence and the Future of Teaching and Learning: Insights and Recommendations, May 2023

Website

Metropolitan Educational Research Consortium

Website

CSBA District and County Office of Education Legal Services

ACADEMIC HONESTY

CROSS REFERENCES-CODES

5131
5131.8
5137
5144
6000
6141
6159
6162.54
6162.6
6163.4

DESCRIPTION

Conduct
Mobile Communication Devices
Positive School Climate
Discipline
Concepts and Roles
Curriculum Development and Evaluation
Individualized Education Program
Test Integrity/Test Preparation
Use of Copyrighted Materials
Student Use of Technology

Legal Reference:

EDUCATION CODE
35291-35291.5 Rules

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

The Board of Trustees believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should be able to participate in the educational program.

(cf. 5113—Absences and Excuses)

(cf. 5113.1—Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan as applicable.

(cf. 6159—Individualized Education Program)

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

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parents/guardians to administer medication to their his/her child at school, designate other individuals to do so on their his/her behalf, and, with the student's child's authorized health care provider's approval, request the District's permission for the student his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering from an anaphylactic reaction. (Education Code 49414)

In accordance with law, the Superintendent or designee may make naloxone hydrochloride or another opioid antagonist and stock albuterol inhalers available at each school for providing emergency medical aid to any person suffering or reasonably believed to be suffering from opioid overdose or respiratory distress. (Education Code 49414.3, 49414.7)

Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel. Parents/Guardians with doctor's orders will be evaluated on a case-by-case basis by District medical staff and administration.

(cf. 1250—Visitors/Outsiders)

(cf. 5141—Health Care and Emergencies)

(cf. 5141.22—Infectious Diseases)

(cf. 5141.23—Asthma Management)

(cf. 5141.27—Food Allergies/Special Dietary Needs)

(cf. 6116—Classroom Interruptions)

In addition, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516—Emergencies and Disaster Preparedness Plan)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

When allowed by law, medication prescribed to a student by an unauthorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable, and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to a school nurse, physician, or other appropriate individual.

~~Any medication prescribed by an authorized health care provider, including, but not limited to, emergency antiseizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received written statements from both the student's parent/guardian and authorized health care provider. (Education Code 49414.7, 49423; 5 CCR 600)~~

~~When medically unlicensed school personnel are authorized by law to administer any medication to students, such as emergency antiseizure medication, auto-injectable epinephrine, insulin, or glucagon, the Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.5, 49414.7, 49423, 49423.1)~~

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

~~(cf. 4131—Staff Development) (cf. 4231—Staff Development) (cf. 4331—Staff Development)~~

~~School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.~~

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Policy Reference Disclaimer:

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STATE	DESCRIPTION
5 CCR 600-611	Administering medication to students
Bus. Code 2700-2837	Nursing
Bus. Code 3500-3546	Physician assistants
Bus. Code 4119.2	Acquisition of epinephrine auto-injectors
Bus. Code 4119.8	Acquisition of naloxone hydrochloride or another opioid antagonist
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49407	Liability for treatment
Ed. Code 49408	Student emergency information
Ed. Code 49414	Emergency epinephrine auto-injectors
Ed. Code 49414.3	Emergency medical assistance; administration of medication for opioid overdose
Ed. Code 49414.4	Opioid Misuse
Ed. Code 49414.5	Providing school personnel with voluntary emergency training
Ed. Code 49414.7	Emergency albuterol inhalers
Ed. Code 49414.8	Funding for emergency opioid antagonists; requirements
Ed. Code 49422-49427	Employment of medical personnel
Ed. Code 49423	Administration of prescribed medication for student
Ed. Code 49423.1	Inhaled asthma medication
Ed. Code 49426.5	Licensed vocational nurses
Ed. Code 49468-49468.5	The Seizure Safe Schools Act
Ed. Code 49480	Continuing medication regimen; notice
H&S 1799.113	Opioid overdose treatment
H&S Code 11362.7-11362.85	Medicinal cannabis
FEDERAL	DESCRIPTION
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482	Individuals with Disabilities Education Act
21 USC 812	Schedule of controlled substances
21 USC 844	Penalties for possession of controlled substance
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 99.30	Conditions under which prior written consent is required to disclose information

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**MANAGEMENT RESOURCES**

American Diabetes Association
Publication

DESCRIPTION

Legal Advisory on Rights of Students with
Diabetes in California's K-12 Public
Schools, August 2007

American Diabetes Association
Publication

Program Advisory on Medication
Administration, 2005

American Diabetes Association
Publication

Glucagon Training Standards for School
Personnel; -Providing Emergency Medical
Assistance to Pupils with Diabetes, May
2006

Court Decision

American Nurses Association v. Tolakson,
(2013) 57 Cal.4th 570

National Diabetes Education Program
Publication

Helping the Student with Diabetes Succeed:
-A Guide for School Personnel, June 2003

Website

CSBA District and County Office of
Education Legal Services

Website

National Diabetes Education Program

Website

U.S. Department of Health and Human
Services, National Heart, Lung, and Blood
Institute

Website

American Diabetes Association

Website

California Department of Education, Health
Services and School Nursing

Website

CSBA

Website

California Department of Public Health

CROSS REFERENCES-CODES

3513.4

DESCRIPTION

Drug And Alcohol Free Schools

3516

Emergencies And Disaster Preparedness
Plan

4112.9

Employee Notifications

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**CROSS REFERENCES-CODES** (continue)

4112.9-E(1)	Employee Notifications
4119.43	Universal Precautions
4131	Staff Development
4212.9	Employee Notifications
4212.9-E-(1)	Employee Notifications
4219.43	Universal Precautions
4231	Staff Development
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4319.43	Universal Precautions
5022	Student And Family Privacy Rights
5113	Absences and Excuses
5113.1	Chronic Absence And Truancy
5125	Student Records
5131.62	Tobacco
5141	Health Care And Emergencies
5141.22	Infectious Diseases
5141.23	Asthma Management
5141.24	Specialized Health Care Services
5141.27	Food Allergies/Special Dietary Needs
5141.6	School Health Services
5145.6	Parent Guardian Notifications
5145.6-E(1)	Parent Guardian Notifications
5148.2	Before/After School Programs
6142.8	Comprehensive Health Education
6145.2	Athletic Competition
6163.2	Animals At School
6164.6	Identification And Education Under Section 504

(cf. 3530—Risk Management/Insurance)

(cf. 4119.42/4219.42/4319.42—Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43—Universal Precautions)

*Legal Reference:*EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto injectors

49414.5 Providing school personnel with voluntary emergency training 49414.7

Emergency medical assistance: administration of epilepsy medication 49422—

49427 Employment of medical personnel, especially:

49423 Administration of prescribed medication for student

49423.1 Inhaled asthma medication

49480 Continuing medication regimen; notice

BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Legal Reference continued:

~~2726 Authority not conferred~~

~~2727 Exceptions in general~~

~~3501 Definitions~~

~~4119.2 Acquisition of epinephrine auto injectors~~

~~4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist~~

CODE OF REGULATIONS, TITLE 5

~~600-611 Administering medication to students~~

~~620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel~~

UNITED STATES CODE, TITLE 20

~~1232g Family Educational Rights and Privacy Act of 1974~~

~~1400-1482 Individuals with Disabilities Education Act~~

UNITED STATES CODE, TITLE 29

~~794 Rehabilitation Act of 1973, Section 504~~ COURT

DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal.App.4th 570

Management Resources:

CSBA PUBLICATIONS

Pandemic Influenza, Fact Sheet, September 2007 AMERICAN

DIABETES ASSOCIATION PUBLICATIONS

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

Training Standards for the Administration of Epinephrine Auto Injectors, December 2004 NATIONAL

DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003 WEB

SITES

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

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing:

<http://www.cde.ca.gov/ls/he/hn>

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**Definitions**

Authorized health care provider means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

Other designated school personnel means any individual employed by the District, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

~~*Emergency medical assistance for a student suffering an epileptic seizure* means the administration of an emergency antiseizure medication such as diazepam rectal gel and other emergency medications approved by the federal Food and Drug Administration for patients suffering from epileptic seizures. (Education Code 49414.7; 5 CCR 621)~~

Epinephrine auto-injector means a disposable drug-delivery device designed for the automatic injection of a premeasured dose system with a spring activated needle that is designed for emergency administration of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. ~~provide rapid, convenient first aid for persons suffering a potentially fatal reaction to anaphylaxis. (Education Code 49414)~~

Anaphylaxis means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

Opioid antagonist means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (Education Code 49414.7)

Albuterol means a bronchodilator used to open the airways by relaxing the muscles around the bronchial tubes. (Education Code 49414.7)

Inhaler means a device used for the delivery of prescribed asthma medication that is inhaled. (Education Code 49414.7)

~~(cf. 5141.23 Asthma Management)~~

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

(cf. 5141.27—Food Allergies/Special Dietary Needs)

Notifications to Parents/Guardians

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

(cf. 5145.6—Parental Notifications) In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

Parent/Guardian Responsibilities

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

1. ~~Providing~~ **Submitting the** parent/guardian ~~and authorized health care provider~~ written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49414.7, 49423, 49423.1; 5 CCR 600, 626)
2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician and updating the information when needed. (Education Code 49480)
3. ~~If the student suffers from epilepsy, notifying the principal or designee whenever the student has had an emergency antiseizure medication administered to him/her within the past four~~

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

~~hours on a school day. (Education Code 49414.7)~~

3. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

Parent/Guardian Statement

When District employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized District representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how District employees will administer the medication or otherwise assist the student in its administration
4. Contain an acknowledgment that the parent/guardian understands ~~the~~his/her responsibilities ~~to enable District employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment~~
5. Contain an acknowledgment that the parent/guardian understands ~~the right to that he/she may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time~~ **the right to** ~~that he/she may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time~~

In addition to the requirements in ~~it~~Items #1-5 above, if a parent/guardian has requested that ~~his/her child~~**the student** be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

2. Release the District and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in ~~Items~~ #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the District to administer medication to **the student**, ~~his/her child~~, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation
2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

Health Care Provider Statement

When any District employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer ~~auto-injectable epinephrine or prescribed diabetes or asthma~~ medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code ~~49414.7, 49423, 49423.1~~; 5 CCR 602, 626)
2. The name of the medication (Education Code ~~49414.7, 49423, 49423.1~~; 5 CCR 602, ~~626~~)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code ~~49414.7, 49423, 49423.1~~; 5 CCR 602, ~~626~~)
4. If a parent/guardian has requested that ~~his/her child~~ **the student** be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code 49423, 49423.1; 5 CCR 602)
5. For medication that is to be administered **by unlicensed personnel, confirmation by the student's health care provider that on an as-needed basis, the specific symptoms that would necessitate administration of the medication may safely and appropriately be administered by unlicensed personnel (Education Code 49423, 49423.1; 5 CCR 602), allowable frequency for administration, and indications for referral for medical evaluation**
6. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency administration, and indications for referral for medical evaluation

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

~~6.7.~~ Possible side effects of the medication

~~7.8.~~ Name, address, telephone number, and signature of the student's authorized health care provider

For self-administration of inhaled asthma medication, the District shall accept a written statement from a physician or surgeon contracted with a health plan licensed pursuant to Health and Safety Code 1351.2. Such written statement shall be in English and Spanish, and shall include the name and contact information for the physician or surgeon. (Education Code 49423.1)

~~When authorizing a District employee to administer emergency antiseizure medication to a student, the authorized health care provider's written statement shall also include the following: (Education Code 49414.7; 5 CCR 626)~~

~~1. Detailed seizure symptoms, including frequency, type, or length of seizures that identify when the administration of the medication becomes necessary~~

~~2. Any potential adverse responses by the student and recommended mitigation actions, including when to call emergency services~~

~~3. A protocol for observing the student after a seizure, including, but not limited to, whether he/she should rest in the school office or return to his/her class and the length of time he/she should be under direct observation~~

~~4. A statement that, following a seizure, a school administrator or other staff member shall contact the school nurse and the student's parent/guardian to continue the observation plan~~

District Responsibilities

The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement

2. Accept delivery of medications from parents/guardians and count and record them upon receipt

3. Maintain a list of students needing medication during the school day, including those

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

authorized to self-administer medication, and **maintain** ~~note~~ on the list the type of medication and the times and dosage to be administered

4. Maintain for each student a medication log which may:
 - a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information
 - b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication
5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student
6. Ensure that student confidentiality is appropriately maintained

(cf. 5125—Student Records)

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

(cf. 5148.2—Before/After School Programs)

(cf. 6145.2—Athletic Competition)

(cf. 6153—School Sponsored Trips)

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take ~~the~~**his/her** medication
9. Keep all medication to be administered by the District in a locked drawer or cabinet
10. As needed, communicate with a student's authorized healthcare provider and/or pharmacist regarding the medication and its effects
11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and **local ordinances** ~~regulations~~:
- a. ~~All discontinued or outdated medications be returned to the parent/guardian or the adult designee and documented on the student's medication log. The log should also contain the medication name and return date and the signatures of the school personnel returning the medication and of the parent/guardian or designee receiving the medication.~~
 - b. ~~At the end of the school year, all the remaining medication be returned directly to the parent/guardian or adult designee as so documented on the student's medication log. The log should also contain the medication name and return date and the signatures of the school personnel returning the medication and of the parent/guardian or designee receiving the medication.~~
 - c. ~~If the parent/guardian does not arrange to pick up medication within 30 days of a documented notice, the medication be disposed of by the site administrator, school nurse, or other duly qualified supervisor of health in accordance with the applicable state law and local ordinances.~~
 - d. ~~Medications not be flushed down the toilet, and medications not be disposed of in the school trash.~~
13. **In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of medication, contact if needed and report to the site administrator, the student's parent/guardian, and, determine whether the student should return to class, rest in the school office, or receive further medical assistance. if necessary, the student's authorized health care provider** ~~any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement~~
- 13.14. **Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement**

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

Additional Requirements for Management of Epileptic Seizures

~~In addition to applicable provisions in the sections above, the Superintendent or designee shall make arrangements for assisting students with epilepsy who may suffer a seizure at school. Such arrangements shall include the following: (Education Code 49414.7; 5 CCR 620-627)~~

- ~~1. **Services or Accommodations:** Whenever a parent/guardian requests that a nonmedical District employee be trained to provide emergency medical assistance to his/her child, the parent/guardian shall be notified that the child may qualify for services or accommodations pursuant to 20 USC 1400-1482, the Individuals with Disabilities Education Act (IDEA), or 29 USC 794, Section 504 of the federal Rehabilitation Act of 1973 (Section 504).~~

~~(cf. 6159—Individualized Education Program)~~

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

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

~~The Superintendent or designee shall assist the parent/guardian to explore that option and shall encourage him/her to adopt the option if the student is determined to be eligible for such service or accommodation.~~

~~If the student's parent/guardian refuses to have him/her assessed for services or accommodations under IDEA or Section 504, the Superintendent or designee may develop an individualized health plan, seizure action plan, or other appropriate health plan designed to acknowledge and prepare for the student's health care needs in school.~~

- ~~2. **Request for Volunteers:** The Superintendent or designee shall distribute an electronic notice to school staff no more than twice per school year per student whose parent/guardian has requested provision of emergency medical assistance pursuant to Education Code 49414.7. The notice shall be in bold print and, in accordance with Education Code 49414.7, shall contain a description of the request for a volunteer school employee, the training that such volunteer school employee will receive, the voluntary nature of the program, and the timelines for the volunteer school employee to rescind his/her offer. No other means of soliciting volunteer school employees shall be conducted.~~

~~(cf. 4112.9/4212.9/4312.9—Employee Notifications)~~

~~If no employee volunteers to administer emergency antiseizure medication to a student, the Superintendent or designee shall again notify the student's parent/guardian of the option to have the student assessed for services and accommodations under IDEA or Section 504.~~

- ~~3.1. **Training:** Any employee who volunteers to administer an emergency antiseizure medication shall receive from a licensed health care professional the training specified in 5 CCR 623 before administering such medication. The training shall include, but is not limited to:~~

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

- a. ~~Recognition and treatment of different types of seizures~~
- b. ~~Administration of an emergency antiseizure medication~~
- c. ~~Basic emergency follow up procedures, including, but not limited to, a requirement for the principal or designee to call the emergency 911 telephone number and to contact the student's parent/guardian, but not necessarily to transport the student to an emergency room~~
- d. ~~Techniques and procedures to ensure student privacy~~

~~(cf. 4131—Staff Development)~~

~~(cf. 4231—Staff Development)~~

~~(cf. 4331—Staff Development)~~

~~(cf. 5022—Student and Family Privacy Rights)~~

~~When a trained employee has not administered an emergency antiseizure medication to a student within two years after completing the training and a student who may need the administration of an emergency antiseizure medication is enrolled in the school, the employee shall be retrained in order to retain the ability to administer an emergency antiseizure medication.~~

4. ~~Notification of Administration: The Superintendent or designee shall establish a process for notifying the credentialed school nurse, or the Superintendent or designee as applicable, whenever an employee administers an emergency antiseizure medication to a student at a school site.~~
5. ~~Supervision of Volunteers: Volunteer school employees shall be supervised by a licensed health care professional in accordance with 5 CCR 627.~~

Emergency Epinephrine Auto-Injectors and Emergency Albuterol Inhalers

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other ~~employees~~ **trained personnel** who have volunteered to administer them in an emergency and have received training. The school nurse, or a ~~volunteer employee~~ when a school nurse or physician is unavailable, **a trained volunteer** may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. ~~(Education Code 49414)~~

~~At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive.~~ **A trained volunteer may include the holder of an Activity Supervisor Clearance Certificate who has received specified training.** (Education Code 49414)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

At least once per school year, the Superintendent or designee shall distribute to all employees a notice requesting volunteers to be trained to administer epinephrine auto-injectors for emergency aid to individuals exhibiting signs of anaphylaxis reaction. Such notice shall also describe the training that the volunteers will receive. (Education Code 49414, 49414.7)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414, ~~or 49414.7~~, and shall be based on the standards developed by the Superintendent of Public Instruction. Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414, ~~49414.7~~)

A school nurse or other qualified supervisor of health, or a District administrator if the District does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or ~~manufactures. epinephrine auto-injector manufacturers.~~ ~~Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector.~~ (Education Code 49414, ~~49414.7~~)

~~Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)~~

~~The District shall store emergency epinephrine auto-injectors in an accessible location, and shall specify such location in annual notices to staff. If medication an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the medication as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto injectors shall be restocked before their expiration date. (Education Code 49414, 49414.7)~~

~~Any volunteer or trained personnel who administers either medication shall initiate emergency medical services or other appropriate medical follow-up in accordance with the training materials retained by the school. (Education Code 49414, 49414.7)~~

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

Information regarding defense and indemnification provided by the District for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in his/her personnel file. (Education Code 49414, 49414.7)

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

A school may accept gifts, grants, and donations from any source for the support of the school in carrying of the requirements of Education Code 49414 or 49414.7, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414, 49414.7)

(cf. 3290 – Gifts, Grants and Bequests)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of **the described medications** ~~epinephrine auto-injectors~~ for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

(cf. 3580 – District Records)

Emergency Medication for Opioid Overdose

The District may elect to make emergency naloxone hydrochloride or another opioid antagonist available at schools for the purpose of providing emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. In determining whether to make this medication available, the Superintendent or designee shall evaluate the emergency medical response time to the school and determine whether initiating emergency medical services is an acceptable alternative to providing an opioid antagonist and training personnel to administer the medication. (Education Code 49414.3)

Additionally, if the District accepts emergency naloxone hydrochloride or another opioid antagonist from the County Office of Education (COE), the Superintendent or designee shall maintain at least two units of the medication at each District middle, high, and adult school. (Education Code 49414.8)

When available at the school site, the school nurse shall provide emergency naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person exhibiting potentially life-threatening symptoms of an opioid overdose at school or a school activity. Other designated personnel who have volunteered and have received training may administer such medication when a school nurse or physician is unavailable, and shall only administer the medication by nasal spray or auto-injector. (Education Code 49414.3)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer naloxone hydrochloride or another opioid antagonist, describing the training that the volunteer will receive, and explaining the right of the volunteer to rescind the offer to volunteer at any time, including after receiving training. The notice shall also include a statement that no benefit will be granted to or withheld from any employee based on the offer to volunteer and that there will be no retaliation against any employee for rescinding the offer to volunteer. (Education Code 49414.3)

The principal or designee shall ~~may~~ designate ~~two~~ ~~one~~ or more volunteer employees to receive initial and annual refresher training, based on standards adopted by the Superintendent of Public Instruction (SPI), regarding the storage and emergency use of naloxone hydrochloride or another opioid antagonist. The training shall be provided at no cost to the employee, conducted during regular working hours, and be provided by a school nurse or other qualified person designated by an authorizing physician and surgeon. Written materials provided during the training shall be retained at the school for reference. (Education Code 49414.3, 49414.8)

Each volunteer shall meet the minimum standards of training for the administration of an emergency opioid antagonist as specified in Education Code 49414.3 or shall have undergone opioid overdose prevention and treatment training and reviewed material available on the California Department of Public Health's website. (Education Code 49414.8)

Any prescription for naloxone hydrochloride or another opioid antagonist shall be obtained by ~~A~~ a school nurse, other qualified supervisor of health, or, if the District does not have a qualified supervisor of health, a District administrator shall obtain a prescription for naloxone hydrochloride or another opioid antagonist for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or manufacturers. (Education Code 49414.3)

If the medication is used, the school nurse, other qualified supervisor of health, or District administrator, as applicable, shall restock the medication as soon as reasonably possible, but no later than two weeks after it is used. In addition, the medication shall be restocked before its expiration date. (Education Code 49414.3)

Information regarding defense and indemnification provided by the District for any and all civil liability for volunteers administering naloxone hydrochloride or another opioid antagonist for emergency aid shall be provided to each volunteer **in writing** and retained in the employee's personnel file. (Education Code 49414.3)

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414.3, including, but not limited to, the acceptance of the naloxone hydrochloride or another opioid antagonist from a **COE** manufacturer or wholesaler. (Education Code 49414.3)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of naloxone hydrochloride or another opioid antagonist for a period of three years from the date the records were created. (Business and Professions Code 4119.8)

Anti-Seizure Medication

A school nurse or, if a school nurse is not onsite or available, a volunteer designated by the District may administer emergency anti-seizure medication to a student diagnosed with seizures, a seizure disorder, or epilepsy who has been prescribed such medication from the student's health care provider and is suffering from a seizure. (Education Code 49468.2)

Upon receipt of a request from the parent/guardian of a student diagnosed with seizures, a seizure disorder, or epilepsy who has been prescribed emergency anti-seizure medication, the Superintendent or designee may designate one or more volunteer(s) at the student's school to receive initial and annual refresher training regarding the emergency use of anti-seizure medication. (Education Code 49468.2)

In order to solicit volunteers, the District shall distribute a notice at least once, but no more than two times per school year, to all staff that includes the following information: (Education Code 49468.2)

1. A description of the volunteer request stating that the request is for volunteers to be trained to recognize and respond to seizures, including training to administer emergency anti-seizure medication to a student diagnosed with seizures, a seizure disorder, or epilepsy if the student is suffering from a seizure
2. A description of the training that the volunteer will receive
3. The right of an employee to rescind the offer to volunteer
4. A statement that there will be no retaliation against any individual for rescinding the offer to volunteer, including after receiving training

A volunteer may rescind the offer to administer emergency anti-seizure medication at any time, including after receipt of training. (Education Code 49468.2)

If a volunteer rescinds the offer to volunteer or is no longer able to act as a volunteer for any reason, or if the placement of a student changes and the student no longer has access to a trained volunteer, the District may distribute an additional two notices per school year to all staff. (Education Code 49468.2)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

Volunteer employees shall receive initial and annual refresher training, based on standards adopted by the SPI, regarding the recognition and response to seizures and the administration of emergency anti-seizure medication. The training shall be provided at no cost to the employee, conducted during regular working hours, and be provided by a school nurse or other qualified person designated by an authorizing physician and surgeon. Written materials provided during the training shall be retained at the school reference. (Education Code 49468.2)

Before administering emergency anti-seizure medication or therapy prescribed to treat seizures in a student diagnosed with seizures, a seizure disorder, or epilepsy, the District shall obtain from the student's parent/guardian a seizure action plan as specified in Education Code 49468.3. The school or District nurse shall collaborate with the parent/guardian of each student diagnosed with seizures, a seizure disorder, or epilepsy in the development of a plan if the student does not have an Individualized Education Plan or Section 504 plan. (Education Code 49468.3)

If the school obtains written consent from the student's parent/guardian, in accordance with 34 CFR 99.30, the seizure action plan shall be distributed to any school staff or volunteers responsible for the supervision or care of the student. (Education Code 49468.3)

Upon receipt of a request from a parent/guardian of a student diagnosed with seizure, a seizure disorder, or epilepsy, the District shall notify the parent/guardian that the student may qualify for services or accommodations pursuant to Section 504 of the federal Rehabilitation Act of 1973 or an individualized education program and shall assist the parent/guardian with the exploration of that option. (Education Code 49468.2)

Additionally, if there are no volunteers at the student's school, the Superintendent or designee shall notify the student's parent/guardian of the student's right to be assessed for services and accommodations guaranteed under Section 504 of the federal Rehabilitation Act of 1973 and the federal Individuals with Disabilities Education Act (IDEA), and may ask the parent/guardian to sign such notices. (Education Code 49468.2)

The principal or designee shall notify the school nurse assigned to the school, or if a school nurse is not assigned to the school or District, the Superintendent or designee, if an employee administers an emergency anti-seizure medication. (Education Code 49468.3)

The notification described above and the seizure action plan shall be kept on file in the office of the school nurse or a school administrator, in compliance with all applicable state and federal privacy laws. (Education Code 49468.3)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

The District shall provide volunteers defense and indemnification for any and all civil liability, with information stating such being provided to the volunteer in writing and retained in the volunteer's personnel file. (Education Code 49468.5)

Trained volunteers who administer emergency anti-seizure medication or medication prescribed for seizure disorder symptoms to a student diagnosed with seizures, a seizure disorder, or epilepsy who appears to be experiencing a seizure shall not be subject to professional review, be liable in a civil action, or be subject to criminal prosecution for acts or omissions in administering the emergency anti-seizure medication. (Education Code 49468.5)

Policy Reference Disclaimer:

These reference are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

STATE	DESCRIPTION
5 CCR 600-611	Administering medication to students
Bus. Code 2700-2837	Nursing
Bus. Code 3500-3546	Physician assistants
Bus. Code 4119.2	Acquisition of epinephrine auto-injectors
Bus. Code 4119.8	Acquisition of naloxone hydrochloride or another opioid antagonist
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49407	Liability for treatment
Ed. Code 49408	Student emergency information
Ed. Code 49414	Emergency epinephrine auto-injectors
Ed. Code 49414.3	Emergency medical assistance; administration of medication for opioid overdose
Ed. Code 49414.4	Opioid Misuse
Ed. Code 49414.5	Providing school personnel with voluntary emergency training
Ed. Code 49414.7	Emergency Albuterol Inhalers
Ed. Code 49414.8	Funding for emergency opioid antagonists; requirements
Ed. Code 49422-49427	Employment of medical personnel
Ed. Code 49423	Administration of prescribed medication for student

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

STATE (continued)

Ed. Code 49423.1

Ed. Code 49468-49468.5

Ed. Code 49480

H&S Code 11362.7-11362.85

H&S 1799.113

Inhaled asthma medication

The Seizure Safe Schools Act

Continuing medication regimen; notice

Medicinal cannabis

Opioid overdose treatment

FEDERAL

20 USC 1232g

20 USC 1400-1482

21 USC 812

21 USC 844

29 USC 794

34 CFR 99.30

DESCRIPTION

Family Educational Rights and Privacy Act (FERPA) of 1974

Individuals with Disabilities Education Act

Schedule of controlled substances

Penalties for possession of controlled substance

Rehabilitation Act of 1973; Section 504

Conditions under which prior written consent is required to disclose information

MANAGEMENT RESOURCES

American Diabetes Association

DESCRIPTION

Glucagon Training Standards for School Personnel:

Publication

Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

American Diabetes Association
Publication

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

American Diabetes Association
Publication

Program Advisory on Medication Administration, 2005

American Diabetes Association
Publication

Training Standards for the Administration of Epinephrine Auto-Injectors, rev.2015

Court Decision

American Nurses Association v. Torlakson, (2013) 57 Cal.4th 570

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

MANAGEMENT RESOURCES (continued)

National Diabetes Education Program Publication	Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003
Website	CSBA District and County Office of Education Legal Services
Website	National Diabetes Education Program
Website	U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information
Website	American Diabetes Association
Website	California Department of Education, Health Services and School Nursing
Website	California Department of Public Health
Website	CSBA

CROSS REFERENCES-CODES

	DESCRIPTION
3513.4	Drug And Alcohol Free Schools
3516	Emergencies and Disaster Preparedness Plan
4112.9	Employee Notifications
4119.43	Universal Precautions
4131	Staff Development
4219.43	Universal Precautions
4231	Staff Development
4319.43	Universal Precautions
5022	Student And Family Privacy Rights
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5125	Student Records
5125	Student Records
5131.62	Tobacco
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5141.22	Infectious Diseases

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

CROSS REFERENCES-CODES (continued)

5141.23	Asthma Management
5141.24	Specialized Health Care Services
5141.27	Food Allergies/Special Dietary Needs
5141.6	School Health Services
5145.6-E(1)	Parent/Guardian Notifications
5148.2	Before/After School Programs
6142.8	Comprehensive Health Education
6145.2	Athletic Competition
6163.2	Animals At School
6164.6	Identification And Education Under Section 504

DISCIPLINE

The Board of Trustees is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5131—Conduct)

(cf. 5131.1—Bus Conduct)

(cf. 5131.2—Bullying)

(cf. 5137—Positive School Climate)

(cf. 5138—Conflict Resolution/Peer Mediation)

(cf. 5145.9—Hate Motivated Behavior)

(cf. 6020—Parent Involvement)

The Superintendent or designee shall ~~design a complement of~~ **develop** effective, age-appropriate strategies for maintaining a positive school climate and ~~correcting~~ **responding appropriately** to student misbehavior at District schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of District discipline policies and practices.

In addition, the Superintendent or designee's strategies **for responding to student misconduct** shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures ~~as a means for correcting student misbehavior~~.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required **or permitted** by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020—Parent Rights and Responsibilities)

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

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

(cf. 6159.4—Behavioral Interventions for Special Education Students)

(cf. 6164.5—Student Success Teams)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

A student shall not be denied recess unless the student's participation poses an immediate threat to the physical safety of the student or to the physical safety of one or more of the student's peers. If, due to such immediate threat, a student is denied recess, staff shall make all reasonable efforts to resolve the threat and minimize the student's exclusion from recess, to the greatest extent practicable. (Education Code 49056)

(cf. 3550—Food Service/Child Nutrition Program)

(cf. 3551—Food Service Operations/Cafeteria Fund)

(cf. 3553—Free and Reduced Price Meals)

DISCIPLINE (continued)

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

(cf. 5131.41—Use of Seclusion and Restraint)

The ~~administrative staff~~ **principal or designee** at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and ~~District~~ **administrative** regulations. The Board, at an open meeting, ~~shall~~ **may** review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the District's comprehensive safety plan. (Education Code ~~35291.5, 32282, 32282,~~ **35291.5**)

(cf. 0450—Comprehensive Safety Plan)

(cf. 9320—Meetings and Notices)

At all times, the safety of students and staff, **providing interventions and supports to students, as well as** ~~and~~ the maintenance of an orderly school environment, shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate **support and/or** discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the District's nondiscrimination policies.

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

(cf. 0415—Equity)

(cf. 5145.3—Nondiscrimination/Harassment)

(cf. 5145.7—Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively and equitably implement the disciplinary strategies adopted for District schools, including, but not limited to, knowledge of school and classroom management skills and their consistent application, effective accountability and positive intervention techniques, and the tools to form strong, cooperative relationships with parents/guardians.

(cf. 4131—Staff Development)

(cf. 4231—Staff Development)

(cf. 4331—Staff Development)

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety and connectedness

to the school community, and other local measures, shall be included in the District's local control and accountability plan, as required by law.

DISCIPLINE (continued)

~~(cf. 0460—Local Control and Accountability Plan)~~
~~(cf. 3100—Budget)~~

At the beginning of each school year, the Superintendent or designee ~~shall~~ **may** report to the Board regarding disciplinary strategies used in District schools in the immediately preceding school year and their effect on student learning.

Policy Reference Disclaimer:

These reference are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

STATE	DESCRIPTION
5 CCR 307	Participation in school activities until departure of bus
5 CCR 353	Detention after school
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35146	Closed sessions
Ed. Code 35291-35291.5	Rules
Ed. Code 37223	Weekend classes
Ed. Code 48900-48926	Suspension and expulsion
Ed. Code 48980-48985	Parent/Guardian notification
Ed. Code 49055	Restorative justice practices
Ed. Code 49056	Seclusion and restraint
Ed. Code 49414.4	Opioid misuse; alternative to referral to law enforcement
Ed. Code 49330-49335	Injurious objects
Ed. Code 49550-49564.5	Meals for needy students
Ed. Code 52060-52077	Local Control and Accountability Plan
FEDERAL	DISCIPLINE
20 USC 1400-1482	Individuals with Disabilities Education Act
29 USC 794	Rehabilitation Act of 1973; Section 504
42 USC 1751-1769j	School Lunch Program
42 USC 1773	School Breakfast Program
MANAGEMENT RESOURCES	DISCIPLINE
California Dept. of Education Program Advisories	Classroom Management: - A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000
CSBA Publication	Recent Legislation on Discipline: -AB 240, Fact Sheet, March 2015
CSBA Publication	The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014

DISCIPLINE (continued)**MANAGEMENT RESOURCES** (continued)

CSBA Publication	Safe Schools: Strategies for Governing Board to Ensure Student Success, 2011
CSBA Publication	Providing a Safe, Nondiscretionary School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009
Fix School Discipline Project	Sample alternative discipline policy
U.S. Dept of Education, Office for Civil Rights Publication	Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973
U.S. Dept of Education, Office for Civil Rights Publication	Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014
U.S. Dept of Education, Office for Civil Rights Publication	Resource on Confronting Racial Discrimination in Student Discipline
Website	CSBA District and County Office of Education Legal Services
Website	Public Counsel
Website	U.S Department of Education, Office of Civil Rights
Website	California Department of Education
Website	CSBA

CROSS REFERENCES-CODES DESCRIPTION

0450	Comprehensive Safety Plan
0460	Local Control and Accountability Plan
1114	District-Sponsored Social Media
1312.3	Uniform Compliant Procedures
1312.3-E(1)	Uniform Compliant Procedures
1312.3-E(2)	Uniform Compliant Procedures
1313	Civility

DISCIPLINE (continued)**CROSS REFERENCES-CODES** (continued)

3512	Equipment
3512-E(1)	Equipment
3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3543	Transportation Safety And Emergencies
4131	Staff Development
4158	Employee Security
4258	Employee Security
4358	Employee Security
5000	Concepts And Roles
5020	Parent Rights And Responsibilities
5030	Student Wellness
5112.1	Exemptions From Attendance
5112.5	Open/Closed Campus
5113.1	Chronic Absence And Truancy
5116.2	Involuntary Student Transfers
5125	Student Records
5127	Graduation Ceremonies And Activities
5131	Conduct
5131.1	Bus Conduct
5131.2	Bullying
5131.4	Student Disturbances
5131.41	Use Of Seclusion And Restraint
5131.5	Alcohol And Other Drugs
5131.62	Tobacco
5131.63	Steroids
5131.7	Weapons And Dangerous Instruments
5131.9	Academic Honesty
5132	Dress And Grooming
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.4	Child Abuse Prevention And Reporting
5142	Safety
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)

DISCIPLINE (continued)**CROSS REFERENCES-CODES** (continued)

5144.4	Required Parental Attendance
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notification
5145.6-E(1)	Parent/Guardian Notification
5145.7	Sexual Harassment
5145.71	Title IX Sexual Harassment Compliant Procedures
5145.71-E(1)	Title IX Sexual Harassment Compliant Procedures
5145.9	Hate-Motivated Behavior
5148.2	Before/After School Programs
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.8	Assemblies And Special Events
6153	School-Sponsored Trips
6159.4	Behavioral Interventions For Special Education Students
6162.54	Test Integrity/Test Preparation
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6164.2	Guidance/Counseling Services
6164.5	Student Success Teams
6184	Continuation Education
6185	Community Day School
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

DISCIPLINE

Site-Level Rules

Site-level rules shall be consistent with state law and Board policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any
- 4.5. **Students in grades seven through twelve**
5. ~~For middle high and high schools, students enrolled in the school~~

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in state law, District discipline policies and regulations, and/or goals for school safety and climate as specified in the District's Local Control and Accountability Plan (LCAP). A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291.5)

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when students' presence causes a danger to themselves or others, or they commit a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension, **supervised suspension**, or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff, the student, and the student's parents/guardians

DISCIPLINE (continued)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling
3. Convening of a study team, guidance team, resource panel, or another intervention-related ~~tea~~-team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and the student's parents/guardians
4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an Individualized Education Program (IEP) or a Section 504 plan
5. Enrollment in a program for teaching prosocial behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support approach with tiered interventions that occur during the school day on campus
8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably
9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner
10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups
- ~~11. Recess restriction as provided in the section below entitled "Recess Restriction"~~
- ~~12.~~11. Detention after school hours as provided in the section below entitled "Detention After School"
- ~~13.~~12. Community service as provided in the section below entitled "Community Service"
- ~~14.~~13. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

DISCIPLINE (continued)

~~15.~~14. Reassignment to an alternative educational environment

~~16.~~15. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

When, by law or District policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

When a student has been suspended or other means of correction have been implemented against the student for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the District's nondiscrimination policies.

When disciplining a student who has been identified for special education and related services, the procedures specified in Administrative Regulation 5144.2 – Suspension and- Expulsion/Due Process (Students with Disabilities) shall be applied. If a student has not been identified as a student with a disability and the District suspects the behavior that resulted in discipline may be based in an unidentified disability, the District shall conduct an evaluation to determine if the student has a disability which requires ~~an Individual Education Plan (IEP)~~ IEP or 504 plan. (U.S.C. 1412(a)(3))

Recess Restriction

~~Teachers may restrict a student's recess time only when they believe that this action is the most effective way to bring about improved behavior. When recess restriction involves the withholding of physical activity from a student, teachers shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:~~

- ~~1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.~~
- ~~2. The student shall remain under a certificated employee's supervision during the period of restriction.~~
- ~~3. The student's teacher shall inform the principal of any recess restrictions imposed.~~

DISCIPLINE (continued)**Detention After School**

Students may be detained for disciplinary reasons for up to one hour after the close of the maximum school day, or until the departure of the school bus to which they have been assigned if applicable. (5 CCR 307, 353)

The student shall not be detained unless the principal or designee notifies the parent/guardian.

Students shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, require a student to perform community service during nonschool hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of District rules related to discipline. (Education Code 35291, 48980)

The Superintendent or designee shall also provide written notice of disciplinary rules to **parents/guardians** of transfer students at the time of their enrollment in the District.

STATE

5 CCR 307

5 CCR 353

Civ. Code 1714.1

Ed. Code 32280-32289.5

Ed. Code 35146

Ed. Code 35291-35291.5

DESCRIPTION

Participation in school activities until departure of bus

Detention after school

Liability of parent or guardian for act of willful misconduct by a minor

School safety plans

Closed sessions

Rules

DISCIPLINE (continued)**STATE** (continued)

Ed. Code 35291.5	School-adopted discipline rules
Ed. Code 37223	Weekend classes
Ed. Code 44807.5	Restriction from recess
Ed. Code 48900-48926	Suspension and expulsion
Ed. Code 48980-48985	Parent/Guardian notifications
Ed. Code 49055	Restorative justice practices
Ed. Code 49056	Recess restriction
Ed. Code 49005-49006.4	Seclusion and restraint
Ed. Code 49414.4	Opioid misuse; alternative to referral to law enforcement
Ed. Code 49330-49335	Injurious objects
Ed. Code 49550-49564.5	Meals for needy students
Ed. Code 52060-52077	Local control and accountability plan

FEDERAL

20 USC 1400-1482	Individuals with Disabilities Education Act
29 USC 794	Rehabilitation Act of 1973; Section 504
42 USC 1751-1769j	School Lunch Program
42 USC 1773	School Breakfast Program

MANAGEMENT RESOURCES

California Dept. of Education Program
Advisories

DESCRIPTION

Classroom Management: A California Resource
Guide for Teachers and Administrators of
Elementary and Secondary Schools, 2000

U.S. Department of Education Office for
Civil Rights

DESCRIPTION

Classroom Management: A California Resource
Guide for Teachers and Administrators of
Elementary and Secondary Schools, 2000

Supporting Students with Disabilities and Avoiding
the Discriminatory Use of Student Discipline
under Section 504 of the Rehabilitation Act of 1973

CSBA Publication

The Case for Reducing Out-of-School Suspensions
and Expulsions, Fact Sheet, April 2014

CSBA Publication

Maximizing Opportunities for Physical Activity
during the School Day, Fact Sheet, 2009

CSBA Publication

Recent Legislation on Discipline: AB 240, Fact
Sheet, March 2015

CSBA Publication

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

DISCIPLINE (continued)**MANAGEMENT RESOURCES** (continued)

CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Fix school Discipline Project	Sample Alternative discipline policy
U.S. Dept of Education, Office for Civil Rights Publication	Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973
U.S. DOE Dept of Education, Office for Civil Rights Publication	Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014
U.S. Dept of Education, Office of Civil Rights Publication	Resource on Confronting Racial Discrimination in Student Discipline
Website	CSBA District and County Office of Education Legal Services
Website	Public Counsel
Website	U.S. Department of Education, Office for Civil Rights
Website	California Department of Education
Website	CSBA

CROSS REFERENCES-CODES**DESCRIPTION**

0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
1114	District-Sponsored Social Media
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1313	Civility
3512-E(1)	Equipment
3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
3515.3	District Police/Security Department

DISCIPLINE (continued)**CROSS REFERENCES-CODES** (continued)

3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3543	Transportation Safety And Emergencies
4131	Staff Development
4158	Employee Security
4258	Employee Security
4358	Employee Security
5000	Concepts And Roles
5020	Parent Rights And Responsibilities
5030	Student Wellness
5112.1	Exemptions From Attendance
5112.5	Open/Closed Campus
5113.1	Chronic Absence And Truancy
5116.2	Involuntary Student Transfers
5125	Student Records
5127	Graduation Ceremonies And Activities
5131	Conduct
5131.1	Bus Conduct
5131.2	Bullying
5131.4	Student Disturbances
5131.41	Use Of Seclusion And Restraint
5131.5	Vandalism And Graffiti
5131.6	Alcohol And Other Drugs
5131.62	Tobacco
5131.63	Steroids
5131.7	Weapons And Dangerous Instruments
5131.9	Academic Honesty
5132	Dress And Grooming
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.4	Child Abuse Prevention And Reporting
5142	Safety
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5144.4	Required Parental Attendance
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.7	Sexual Harassment
5145.71	Title IX Sexual Harassment Complaint Procedures
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures
5145.9	Hate-Motivated Behavior
5148.2	Before/After School Programs

DISCIPLINE (continued)

CROSS REFERENCES-CODES (continued)

6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.8	Assemblies And Special Events
6153	School-Sponsored Trips
6159.4	Behavioral Interventions For Special Education Students
6162.54	Test Integrity/Test Preparation
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6164.2	Guidance/Counseling Services
6164.5	Student Success Teams
6184	Continuation Education
6185	Community Day School
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

NONDISCRIMINATION/HARASSMENT

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

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a District school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Board of Trustees and the Superintendent in acting policies and procedures that govern the District.

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

(cf. 5131—Conduct)

(cf. 5131.2—Bullying)

(cf. 5137—Positive School Climate)

(cf. 5145.7—Sexual Harassment)

(cf. 5145.9—Hate Motivated Behavior)

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

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

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also **occurs when** ~~includes the creation of a hostile environment through~~ prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

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

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently, and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144-Discipline, Board Policy and Administrative Regulation 5144.1-Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2-Suspension and Expulsion/Due Process (Students With Disabilities).

NONDISCRIMINATION/HARASSMENT(continued)

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

The Superintendent and/or designee shall facilitate students' access to the educational program by publicizing the District's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. **In addition, the Superintendent or designee shall post the District's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the District's website in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. (Education Code 234.1, 234.6)**

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

~~(cf. 1312.3—Uniform Complaint Procedures)~~

~~(cf. 1330—Use of Facilities)~~

~~(cf. 4131—Staff Development)~~

~~(cf. 4231—Staff Development)~~

~~(cf. 4331—Staff Development)~~

~~(cf. 6145—Extracurricular and Coextracurricular Activities)~~

~~(cf. 6145.2—Athletic Competition)~~

~~(cf. 6164.2—Guidance/Counseling Services)~~

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

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to Disciplinary action, up to and including dismissal.

All allegations of unlawful discrimination in the District programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3-Uniform Complaint Procedures.

NONDISCRIMINATION/HARASSMENT(continued)

~~(cf. 4118 — Dismissal/Suspension/Disciplinary Action)~~
~~(cf. 4119.21/4219.21/4319.21 — Professional Standards)~~
~~(cf. 4218 — Dismissal/Suspension/Disciplinary Action)~~
~~(cf. 5144 — Discipline)~~
~~(cf. 5144.1 — Suspension and Expulsion/Due Process)~~
~~(cf. 5144.2 — Suspension and Expulsion/Due Process (Students with Disabilities))~~
~~(cf. 5145.2 — Freedom of Speech/Expression)~~

Record-Keeping

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

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

STATE	DESCRIPTION
5 CCR 432	Student records
5CCR 4600-4670	Uniform complaint procedures
5CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 48900.3	Suspension or expulsion for act of hate violence
Ed. Code 48900.4	Suspension of expulsion for harassment, threats, or intimidation
Ed. Code 48904	Liability of parent/guardian for willful student misconduct
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49020-49023	Athletic programs
Ed. Code 49060-49079	Student records
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups
Ed. Code 51500	Prohibited instruction or activity
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 60010	Instruction materials; definition
Ed. Code 60040-60052	Requirements for instructional materials
Gov. Code 11135	Prohibition of discrimination
Pen. Code 422.55	Definition of hate crimes
Pen. Code 422.6	Crimes; harassment

NONDISCRIMINATION/HARASSMENT(continued)

FEDERAL	DESCRIPTION
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.3	Prohibition of discrimination on the basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievance procedures
34 CFR 104.8	Notice of Nondiscrimination on the Basis of Handicap
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 106.30	Discrimination on the basis of sex; definitions
34 CFR 44-106.45	Grievance process for formal complaints of sexual harassment
34 CFR 110.25	Prohibition of discrimination based on age
34 CFR 99.31	Disclosure of personally identifiable information
42 USC 12101.12213	Americans with Disabilities Act
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX and the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975
MANAGEMENT RESOURCES	DESCRIPTION
CA Office of the Attorney	Promoting a Safe and Secure Learning Environment for All:
General Publication	Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4 th 567
Court Decision	Flores v. Morgan Hill Unified School District (2003, 9 th Cir.) 324 F.3d 1130
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in School, October 2022
California Department of Education Publication	California Longitudinal Pupil Achievement Data System (CALPADS) Updated FLASH #158: Guidance for Changing a Student's Gender in CALPADS, July 2019

NONDISCRIMINATION/HARASSMENT(continued)**MANAGEMENT RESOURCES** (continue)

U.S DOE, Office for Civil Rights Publication	Resolution Agreement Between the Arcadia USD, US Dept. of Ed, OCR, & the US DOJ, CRD, (2013) OCR 09-12-1020, DOJ 169-12C-70
U.S. Dept. Of Health & Human Services Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2003
U.S. DOE, Office for Civil Rights Publication	Questions and Answers on the Title IX Regulations on Sexual Harassment, June 2022
U.S. DOE, Office for Civil Rights Publication	U.S. Department of Education Toolkit: Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023
U.S. DOE, Office for Civil Rights Publication	Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973, July 2022
U.S. DOE, Office for Civil Rights and DOJ, Civil Rights Division Publication	Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023
U.S. DOE Publication	Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools. May 2023
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023
U.S. DOE, Office for Civil Rights Publication	Enforcement of Title IX of the Education Amendments of 1972 With Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock Clayton County, June 2021
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Race and School Programming, August 2023
U.S. DOE, Office for Civil Rights Publication	Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
Website	CSBA District and County Office of Education Legal Services

NONDISCRIMINATION/HARASSMENT(continued)**MANAGEMENT RESOURCES** (continue)

Website	First Amendment Center
Website	California Office of the Attorney General
Website	California Safe Schools Coalition
Website	CSBA
Website	California Department of Education
Website	U.S. Department of Education, Office for Civil Rights

CROSS REFERENCES-CODES	DESCRIPTION
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0470	COVID-19 Mitigation Plan
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1240	Volunteer Assistance
1312.1	Complaints Concerning District Employees
1312.2	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1313	Civility
1340	Access To District Records
3515.4	Recovery For Property Loss Or Damage
3530	Risk Management/Insurance
3553	Free And Reduced Price Meals
3580	District Records
4112.6	Personnel Files
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4118	Dismissal/Suspension/Disciplinary Action
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4119.23	Unauthorized Release Of Confidential/Privileged' Information
4131	Staff Development
4212.6	Personnel Files
4212.9	Employee Notifications

NONDISCRIMINATION/HARASSMENT(continued)**CROSS REFERENCES-CODES** (continued)

4212.9-E(1)	Employee Notifications
4218	Dismissal/Suspension/Disciplinary Action
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4219.23	Unauthorized Release Of Confidential/Privileged Information
4231	Staff Development
4312.6	Personnel Files
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.23	Unauthorized Release Of Confidential/Privileged Information
4331	Staff Development
5000	Concepts And Roles
5030	Student Wellness
5111	Admission
5113.1	Chronic Absence And Truancy
5113.12	District School Attendance Review Board
5125	Student Records
5125.1	Release Of Directory Information
5125.1-E(1)	Release Of Directory Information
5125.3	Challenging Student Records
5131	Conduct
5131.2	Bullying
5131.5	Vandalism And Graffiti
5132	Dress And Grooming
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.22	Infectious Diseases
5141.27	Food Allergies/Special Dietary Needs
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12	Search And Seizure
5145.2	Freedom Of Speech/Expression
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications

NONDISCRIMINATION/HARASSMENT(continued)**CROSS REFERENCES-CODES** (continued)

5145.7	Sexual Harassment
5145.71	Title IX Sexual Harassment Complaint Procedures
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures
5145.9	Hate-Motivated Behavior
5146	Married/Pregnant/Parenting Students
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.8	Comprehensive Health Education
6143	Courses Of Study
6144	Controversial Issues
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6153	School-Sponsored Trips
6159.4	Behavioral Interventions For Special Education Students
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6163.1	Library Media Centers
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6164.2	Guidance/Counseling Services
6173.1	Education For Foster Youth
7110	Facilities Master Plan

(cf. 3580—District Records)

*Legal Reference:*EDUCATION CODE

~~200-262.4 Prohibition of discrimination~~

~~48900.3 Suspension or expulsion for act of hate violence 48900.4~~

~~Suspension or expulsion for threats or harassment 48904 Liability~~

~~of parent/guardian for willful student misconduct 48907 Student~~

~~exercise of free expression~~

~~48950 Freedom of speech 48985~~

~~Translation of notices 49020-~~

~~49023 Athletic programs~~

~~51500 Prohibited instruction or activity~~

~~51501 Prohibited means of instruction~~

~~60044 Prohibited instructional materials~~

CIVIL CODE

~~1714.1 Liability of parents/guardians for willful misconduct of minor~~

GOVERNMENT CODE

~~11135 Nondiscrimination in programs or activities funded by state~~

PENAL CODE

~~422.55 Definition of hate crime~~

~~422.6 Crimes, harassment~~

CODE OF REGULATIONS, TITLE 5

~~432 Student record~~

~~4600-4670 Uniform complaint procedures~~

~~4900-4965 Nondiscrimination in elementary and secondary education programs UNITED~~

~~STATES CODE, TITLE 20~~

NONDISCRIMINATION/HARASSMENT(continued)

1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II equal opportunity for individuals with disabilities
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975 CODE
OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints CODE
OF FEDERAL REGULATIONS, TITLE 34
99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
COURT DECISIONS
Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources: (see next page)

Management Resources:

CSBA PUBLICATIONS
Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018
FIRST AMENDMENT CENTER PUBLICATIONS
Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Transgender Students, May 2016
Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter: Harassment and Bullying, October 2010
Notice of Non-Discrimination, Fact Sheet, August 2010
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
California Safe Schools Coalition: <http://www.easafeschools.org>
California Office of the Attorney General: <http://oag.ca.gov>
First Amendment Center: <http://www.firstamendmentcenter.org>
National School Boards Association: <http://www.nsba.org>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>