

OAK PARK UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
AGENDA #1008

NOTICE OF SPECIAL BOARD MEETING - AGENDA #1008

Written notice is hereby given in accordance with Education Code Section 35144 that a special Meeting of the Board of Education of Oak Park Unified School District will be held:

DATE: Wednesday, October 28, 2020

TIME: 5:00 p.m. Closed Session
6:00 p.m. Open Session

PLACE: Pursuant to Governor Newsom's Executive Order N-29-20 in regard to the COVID-19 Pandemic, special procedures will be followed for this special board meeting. The meeting will be conducted via teleconference/video conference. Members of the public will have the right to observe the meeting using this link: www.opusd.org/livestream. Members of the public may offer public comment on items on the agenda as provided on page 2 of this agenda.

Call to Order _____

Roll Call

Public Comments – Speakers on Closed Session Agenda items

Recess to Closed Session for discussion and/or action on the following items:

CLOSED SESSION

A. SUPERINTENDENT'S GOALS

B. CONFERENCE WITH LABOR NEGOTIATORS: Government Code 54957.6
Agency designated representatives: Adam Rauch and Stewart McGugan
Employee organizations: Oak Park Classified Association

Reconvene Open Session

Roll Call

Flag Salute

Report from Closed Session

Public Comments – Speakers on Agenda items

Adoption of Agenda

Welcome to a special meeting of the Oak Park Unified School District Board of Education.

INDIVIDUALS WHO REQUIRE SPECIAL ACCOMMODATION TO PARTICIPATE IN A BOARD MEETING, INCLUDING BUT NOT LIMITED TO AN AMERICAN SIGN LANGUAGE INTERPRETER, DOCUMENTATION IN ACCESSIBLE FORMATS, OR ACCOMMODATIONS DUE TO THE ELECTRONIC FORMAT OF THIS MEETING, SHOULD CONTACT THE SUPERINTENDENT'S OFFICE 24 HOURS PRIOR TO THE MEETING TO ENABLE THE DISTRICT TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCOMMODATION AND ACCESSIBILITY TO THIS MEETING. PHONE (818) 735-3206 or e-mail: raggarwal@opusd.org

PURSUANT TO EXECUTIVE ORDER N-29-20, THE BOARD MEETING ROOM IS CLOSED. TO FIND OUT HOW YOU MAY ELECTRONICALLY ATTEND THE BOARD MEETING AND PROVIDE PUBLIC COMMENT PLEASE READ THE FOLLOWING GUIDELINES:

Members of the public will have the right to observe the meeting using this link: www.opusd.org/livestream

Public Comments may be submitted via this link <http://www.opusd.org/PublicComments>. Your comments are greatly appreciated. The Brown Act requires that agendas for special meetings provide an opportunity for members of the public to address the body concerning any item listed on the agenda prior to the body's consideration of that item (Section 54954.3). Unlike regular meetings, in a special meeting the body does not have to allow public comment on any non-agenda matter. Thank you for your cooperation and compliance with these guidelines.

If you wish to make a comment regarding a matter on the agenda please submit your comment via the form accessed by the above link by 4:30 p.m. on October 28, 2020. Although not required, please submit all of the requested information. In keeping with the reasonable time regulations described below, every effort will be made for your name and comment to be read by the Board President, and your comment will be placed into the item's record at the Board meeting.

This public comment form will be open to members of the public 30 minutes (at 4:30 pm) prior to the closed session of the public meeting which begins at 5 pm. This form will take the place of the "yellow speaker cards" available at in-person meetings.

The President of the Board will inquire if there is anyone in the audience who desires to address the board with respect to any item appearing on the special meeting agenda. Individual speakers will be allowed three minutes to address the Board on each agenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the Board president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. Due to the electronic nature of this meeting and to maintain the integrity of providing an opportunity for public comment, every effort will be made to read your comment into the record. In order to ensure that non-English speakers receive the same opportunity to directly address the Board, Google Translate will be used to translate any emails to the Superintendent's Executive Assistant at raggarwal@opusd.org who will receive and submit the public comments in open session.

All Board Actions and Discussions are electronically recorded and maintained for thirty days. Interested parties may review the recording upon request. Upon request by a student's parent/guardian, or by the student if age 18 or older, the minutes shall not include the student's or parent/guardian's address, telephone number, date of birth, or email address, or the student's name or other directory information as defined in Education Code 49061. The request to exclude such information shall be made in writing to the secretary or clerk of the Board. (Education Code 49073.2)

OPEN SESSION

A. BUSINESS SESSION

1. BUSINESS SERVICES

- a. [Approve Renewal of Agreement with Developing Outdoors for General Staffing Services for the Extended Care Program for 2020-2021](#)

Board Policy 3312 requires Board approval for contracts for services

2. HUMAN RESOURCES

- a. [Approve the District's Initial Proposal for Collective Bargaining Negotiations with Oak Park Classified Association](#)

Government Code 3547.5 requires public disclosure of the provisions of all collective bargaining agreements

3. BOARD

- a. [Approve Board Goals for 2020-2021](#)

Board approval required for 2020-2021 Board Goals which were reviewed at the October 4, 2020 Board Retreat

- b. [Approve Revised 2020 Governance Handbook](#)

Board approval required for 2020 Governance Handbook which was reviewed at the October 4, 2020 Board Retreat

- c. [Review and Approve 2020-2021 Moral Imperatives and District Goals](#)

Board -approval required for the 2020-21 Moral Imperative and Goals which were reviewed at the October 4, 2020 Board Retreat

- d. [Discussion on Holding In-Person Meetings During COVID-19 Restrictions](#)

Staff will provide information regarding board request to hold hybrid board meetings where some members of the board and staff attend in person while others attend remotely

4. BOARD POLICIES

- a. [Approve Amendment to Board Policy and Exhibit 3555 Nutritional Program Compliance – First Reading](#)

Board Policy updated to reflect NEW STATE REGULATIONS (Register 2020, No. 21) which provide that complaints regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses should be submitted directly to the California Department of Education (CDE), and complaints alleging discrimination on the basis of race, color, national origin, sex, age, or disability should be submitted to the U.S. Department of Agriculture (USDA). Complaints regarding other program requirements or other bases for discrimination are to be investigated and resolved at the district level. Policy also deletes the USDA nondiscrimination statement that must be included on all forms of communication regarding program availability, which is now presented in the accompanying exhibit. New exhibit presents the USDA statement, formerly in BP 3555, which must be included on all forms of communication available to the public regarding the availability of child nutrition programs in order to advise the public of the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints against the district.

- b. [Approve Amendment to Board Policy and Administrative Regulation 5144.1 Suspension and Expulsion Due Process – First Reading](#)

Board Policy and regulation updated to reflect NEW LAW (SB 419) which prohibits districts from suspending students in grades 4-8 for disrupting school activities or willfully defying the authority of school personnel. Policy also references NEW LAW (AB 982) which requires a district to provide a student who is suspended for two or more days

with the homework assigned during the period of suspension. Regulation adds new section on "Additional Grounds for Suspension and Expulsion: Grades 9-12" reflecting the option to suspend, but not expel, a student in grades 9-12 for disruption or willful defiance.

c. Approve Amendment to Board Policy and Exhibit 5145.6 Parental Notifications – First Reading

Board Policy updated for gender neutrality and to update legal references based on new laws reflected in the accompanying exhibit. Exhibit updated to reflect NEW LAW (SB 74, 2020) which extends the suspension of certain mandated activities through the 2020-21 school year; reflect NEW FEDERAL REGULATION (85 Fed. Reg. 30026) which requires notice of the contact information of the district's Title IX Coordinator; delete legal cites for the Open Enrollment Act, which is no longer operational; delete reference to BP 5141.33 which is no longer applicable to exclusions from school; reflect NEW LAW (SB 1109, 2018) which requires dissemination of an opioid fact sheet to parents/guardians of student athletes; reflect NEW LAW (AB 2370, 2018) which requires child care centers with buildings constructed before 2010 to test drinking water for lead and notify parents/guardians of the results of that test; add notice requirements for districts receiving Impact Aid for children residing on Indian lands; reflect NEW FEDERAL REGULATION (85 Fed. Reg. 30026) which requires notifications to the parents/guardians of a student who complains of sexual harassment regarding rights, the complaint process, and the availability of supportive measures; and move the classroom notice requirement pertaining to complaints about health and safety in California State Preschool Programs to AR/E 1312.3 - Uniform Complaint Procedures consistent with CDE's Federal Program Monitoring instrument.

d. Annual Review of Board Policy and Administrative Regulation 5116.1 Intradistrict Open Enrollment – First Reading

Education Code 35160.5 and 48980 require annual review of this policy. The policy and administrative regulation are being submitted for review. There are no recommended updates from CSBA or the staff.

e. Annual Review of Board Policy and Administrative Regulation 6145 Extracurricular and Cocurricular Activities – First Reading

Education Code 35160.5 requires annual review of this policy, as it relates to the participation of students in grades 7-12 in extracurricular and cocurricular activities. The policy and administrative regulation are being submitted for review with updates for gender neutrality. There are no other recommended updates from CSBA or the staff.

Adjournment

Date: October 26, 2020

Anthony W. Knight, Ed.D.
Superintendent and Secretary to the Board of Education

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.1.a. APPROVE RENEWAL OF AGREEMENT WITH DEVELOPING OUTDOORS FOR GENERAL STAFFING SERVICES FOR THE EXTENDED CARE PROGRAM FOR 2020-2021

ACTION

ISSUE: Shall the Board approve an agreement renewal with Developing Outdoors for general staffing services for the District’s Extended Care Program for 2020-2021?

BACKGROUND: At its meeting on January 17, 2018, the Board of Education authorized the establishment of the OPUSD Extended Care Program in order to extend the learning experiences and methodologies present during the regular school day. The proposed 2020-2021 staffing agreement, which is included for the Board’s information and review, is a modified renewal of the agreement previously approved by the Board for the 2019-2020 school year. This agreement includes an addendum to address the impact of COVID-19. It is respectfully requested that the Board approve the agreement renewal with Developing Outdoors for general staffing services for the Extended Care Program. The Agreement has been reviewed by the District’s general council, Fagen Friedman and Fulfroost and by our Joint Powers Authority (JPA). The renewal agreement is available at this link <https://bit.ly/3dQieQb> for the board’s review.

FISCAL IMPACT: The fiscal impact will be dependent on the timeline of reopening, which is currently unknown. In a typical year, the fiscal impact for this service agreement, based on 2019-20 actuals, is \$921,464, which is expected to be funded out of Fund 120, Child Development Fund.

ALTERNATIVES:

1. Approve the agreement with Developing Outdoors for general staffing services for the District’s Extended Care Program, per the terms and conditions of the linked contract, to be funded from Fund 120, Child Development Fund for 2020-2021.
2. Do not approve the staffing agreement.

RECOMMENDATION: Alternative No. 1

Prepared by: Sara Ahl, Director, Extended Care Program
Adam Rauch, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

Anthony W. Knight, Ed.D.
Superintendent

Board of Education Meeting, October 28, 2020
Approve an agreement renewal with Developing Outdoors
for general staffing services for the District's Extended Care Program for 2020-2021
Page 2

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.2.a. APPROVE THE DISTRICT'S INITIAL PROPOSAL FOR COLLECTIVE BARGAINING NEGOTIATIONS WITH THE OAK PARK CLASSIFIED ASSOCIATION

PUBLIC HEARING/ACTION

ISSUE: Should the Board receive and adopt the Oak Park Unified School District's initial proposal for collective bargaining for the 2020-2021 school year and authorize the Superintendent to initiate negotiations on behalf of the Board?

BACKGROUND: The current Contract of Agreement between the Oak Park Unified School District and the Oak Park Classified Association (OPCA) expired on June 30, 2020. As such, all articles are open to negotiations. Each side is required to sunshine the articles that it proposes to open for discussion.

A copy of the Oak Park Unified School District's initial proposal for collective bargaining negotiations is included. Following the public hearing, the Board will be asked to adopt, or revise, and approve the District's initial proposal, and authorize the Superintendent to initiate negotiations on behalf of the Board.

FISCAL IMPACT: None

ALTERNATIVES:

1. Receive and adopt the District's initial proposal authorizing the Superintendent to initiate negotiations with OPCA.
2. Receive, revise and adopt the District's initial proposal authorizing the Superintendent to initiate negotiations with OPCA.

RECOMMENDATION: Approve Alternative #1.

Respectfully submitted,

 Anthony W. Knight, Ed.D.
 Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

OAK PARK UNIFIED SCHOOL DISTRICT
OFFICE OF HUMAN RESOURCES

To: Oak Park Classified's Association and the Oak Park Unified Board of Education

From: Stewart McGugan, Assistant Superintendent

Subject: OPUSD Proposal for 2020-2021 Negotiations

Date: October 28, 2020

The District proposes to discuss the following articles during the 2020-2021 negotiations with the Oak Park Classified's Association.

Article 11 – Salaries, Pay and Allowances

Article 12 – Health and Welfare Benefits

Article 26 - Term of Agreement

Cc:
Virginia Standring, OPCA President
Dr. Anthony Knight, Superintendent

Oak Park Classified Association

President Virginia Standring



Oak Park Classified Association for Sunshine Proposal for Successor Agreement to the Contract that expired on June 30, 2020.

1. Article 11 –Salaries, Pay and Allowances
2. Article 12 – Health and Welfare Benefits
3. Article 26 - Term of Agreement

TO: BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.3.a. APPROVE 2020-2021 BOARD GOALS

ACTION

ISSUE: Shall the Board approve 2020-2021 Board Goals?

BACKGROUND: The Board held a Board Retreat on October 4, 2020 and reviewed and revised the Board Goals for 2020-2021.

ALTERNATIVES: 1. Approve the 2020-21 Board Goals.
2. Do not approve the 2020-21 Board Goals

RECOMMENDATION: At Board's discretion.

Respectfully submitted,

Anthony W. Knight, Ed.D.
Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____



**OPUSD BOARD OF EDUCATION GOALS
2020-2021**

1. The Board will provide a monthly report of Board meetings, developed by the Board President and/or Superintendent, which shall be widely distributed consistent with the District's communication plan.
2. The Board, in conjunction with the Superintendent, will solicit all stakeholders for feedback on the development of the District's Moral Imperatives and Goals, Local Control and Accountability Plan, and Annual Budget.
3. The Board, in conjunction with the Superintendent, will maintain and continue to develop relationships with local, state, and Federal representatives.
4. The Board will ensure that the governance handbook is reviewed and updated, as needed, and used as a tool to train new Board members.
5. The Board will provide an orientation and work towards a smooth transition with the newly elected governing board member, including an onboarding process that incorporates BB 9230 - Orientation. The Board will welcome the newly elected member to the Governance Team and model agreed upon Governance skills from which to learn.
6. The Board will engage in learning together about goal setting and the format of our annual retreat.
7. The Board will conduct a Board self-evaluation at least every other year.
8. The Board will honor students, staff, parents, and community members at Board meetings.
9. The Board will create opportunities to collaborate with and attain direct feedback from students, staff, parents, PTOs, OPEF, and community members.
10. The Board will continue to electronically stream school board meetings to govern in a transparent, open, and accessible manner.
11. Board members will visit District and school sites to view on-site preparations for return to school.
12. The Board will work with the contracted diversity and equity consultant to further its commitment to equity driven governance.

TO: BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.3.b. REVIEW, AMEND, APPROVE GOVERNANCE HANDBOOK

ACTION

ISSUE: Shall the Board of Education review, amend and approve the 2020 Governance Handbook?

BACKGROUND: The Board reviewed the Governance Handbooks at their Board Retreat on October 4, 2020. At this meeting the Board may review and amend as required. The 2020 Governance Handbook follows for the board's review.

ALTERNATIVES: 1. Approve the amended 2020 Governance Handbook
2. Do not approve the amended 2020 Governance Handbook

RECOMMENDATION: At Board's discretion.

Respectfully submitted,

Anthony W. Knight, Ed.D.
Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____



Oak Park Unified School District Board of Education

GOVERNANCE HANDBOOK

Board of Trustees

Barbara Laifman, President
Allen Rosen, Vice President
Drew Hazelton, Clerk
Derek Ross, Member
Denise Helfstein, Member

Superintendent

Dr. Anthony Knight

Approved October 16, 2012

Amended 7-21-14, 8-18-15, 8-15-17,8-21-18, 8-20-19, 10-28-20

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SCHOOLS

Oak Park Neighborhood School

Director: Kim Gregorchuk - kgregorchuk@opusd.org
Office Manager: Jane Straughan - JStraughan@opusd.org
1010 North Kanan Road
Oak Park, CA 91377
(818) 707-7742
Enrollment: 32

Brookside Elementary School

Principal: Erin Vranesh - evranesh@opusd.org
Office Manager: Virginia Standring - vstandring@opusd.org
165 North Satinwood Ave
Oak Park, CA 91377
(818) 597-4200
Enrollment: 512

Oak Hills Elementary School

Principal: Erik Warren - ewarren@opusd.org
Office Manager: Maureen Frey - MFrey@opusd.org
1010 North Kanan Road
Oak Park, CA 91377
(818) 707-4224
Enrollment: 491

Red Oak Elementary School

Principal: Stacy LaFrenz - slafrenz@opusd.org
Office Manager: Susan Crumpley - SCrumpley@opusd.org
4857 Rockfield Street
Oak Park, CA 91377
(818) 707-7972
Enrollment: 589

Medea Creek Middle School

Principal: Brad Benioff - bbenioff@opusd.org
Office Manager: Debbie Church - DChurch@opusd.org
1002 Doubletree Road
Oak Park, CA 91377
(818) 707-7922
Enrollment: 1022

Oak Park High School

Principal: Kevin Buchanan - kbuchanan@opusd.org
Office Manager: Michelle DiCamillo - MDicamillo@opusd.org
899 North Kanan Road
Oak Park, CA 91377
(818) 735-3300
Enrollment: 1418

Oak View High School

Principal: Kent Cromwell kcromwell@opusd.org
Office Manager: Linda Roberts LRoberts@opusd.org
5701 Conifer Street
Oak Park, CA 91377
(818) 735-3217
Enrollment: 31

Oak Park Independent School

Principal: Kent Cromwell - kcromwell@opusd.org
Office Manager: Susan Meskis - SMeskis@opusd.org
5701 Conifer Street
Oak Park, CA 91377
(818) 735-3200
Enrollment: 288

Oak Park Extended Care - Club Oak Park

Director: Sara Ahl - sahl@opusd.org
Department Secretary: Soraya Farhadi - sfarhadi@opusd.org
cluboakpark@opusd.org
(818) 735-3280
Enrollment: Currently not operational due to schools being in Distance Learning.

Individual Oak Park Extended Care school site phone numbers:

Brookside Elementary School - 818-597-4219
Oak Hills Elementary School - 818-707-4227
Red Oak Elementary School - 818-707-7979
Medea Creek Middle School - 818-707-7924

DISTRICT AT A GLANCE

District Vision

The mission of the Oak Park Unified School District is to provide students with a strong foundation for learning which meets the challenge of the present and of the future through a balanced education which includes academic achievement, personal growth, and social responsibility.

District Motto

"Educating Compassionate and Creative Global Citizens"

When we talk about **compassion**, we understand the literal meaning of the word, which is co-suffering. Compassionate people understand the plight and difficulties of others and work to alleviate suffering wherever it exists. We can demonstrate and practice compassion to others, to animals, to the environment. Children learn about compassion by observing adults practice it and by what they hear adults say. Schools can teach students about compassion in many ways, through literature, history, discussion, and by providing opportunities to do good.

Creativity is the spark that makes life interesting. We all possess it and it is important that a school system help students to discover it within themselves and nurture it. Creative people are interesting, solve problems, have open minds, and see the world in new ways. Creativity is probably the most important '21st century skill.'

We are **citizens** of our locality, of our state, and of our nation. We are also citizens of the world. When we look at the Earth from space we do not see borders and boundaries. We are part of a web of people who share this place. Being a good global citizen means participating in our own democracy, having a sense of social responsibility for the people around us, of our nation, and of the world, and caring for the environment we all share and will pass on to our posterity.

DISTRICT HISTORY

The Oak Park Unified School District is located in the southeast corner of Ventura County, immediately adjacent to the Los Angeles County line. Prior to 1977, the area served by the District had been included in the Simi Valley Unified School District, which was formed in 1936.

Although the first school was built in Simi Valley in 1890, the Oak Park area experienced no growth until 1967 when 160 homes were built. Additional homes were constructed subsequent to 1967, and in 1968, Brookside Elementary School was completed to house the elementary students living in those homes.

Beginning in 1970, Oak Park residents made a formal request to the Las Virgenes Unified School District Governing Board for annexation to that District. Three denials of this request prompted District residents to begin the process of forming their own school district.

On January 13, 1977, the State Board of Education approved the proposed Oak Park Unified School District, and an election was held in Oak Park on May 31, 1977. Seventy-seven percent of the eligible

Oak Park electorate voted in that election and unification was approved with a ninety-three percent affirmative vote. A five-member Board of Education was elected at the same time, and their first business meeting was held on June 14, 1977.

In the year of 1998, there were approximately 4,700 residential addresses in Oak Park based on Oak Park Water Service hook-ups. Based on housing units completed, as of 12/01/98 there were homes built for a population of 17,500. According to the 2010 census the community of Oak Park had approximately 13,811 residents living in over 5,000 homes, apartments, and condominiums. The book *Images of America – Oak Park* is a great resource for learning more about the history of Oak Park.

Oak Park, California - Overview	2010 Census		2000 Census	
	Counts	Percentages	Counts	Percentages
Total Population	13,811	100.00%	14,215	100.00%
Population by Gender				
Female	7,170	51.92%	7,319	51.49%
Male	6,641	48.08%	6,896	48.51%
Population by Age				
Persons 0 to 4 years	604	4.37%	1,040	7.32%
Persons 5 to 17 years	3,018	21.85%	3,688	25.94%
Persons 18 to 64 years	9,016	65.28%	8,759	61.62%
Persons 65 years and over	1,173	8.49%	728	5.12%

In 1991, the Agoura Hills Postmaster gave the community of Oak Park permission to use Oak Park, CA 91301 instead of using the previously assigned Agoura zip code. And as of January 1, 1999, Oak Park now has its own Zip Code – 91377. Residents are happy with this, as it is one more step in identifying this unique community.

The source for the above data table is <http://censusviewer.com/city/CA/Oak%20Park>

NOTE: The 2020 Census data is expected to be released by the end of March 2021.

DISTRICT STAFF

Staff	2020	2019	2018
Certificated Teachers	252	256	246
School Psychologists	6	6	6
Certificated Management	#16 6 Principals 3 Assistant Principals 1 Superintendent 1 Assistant Superintendent 4 Directors 1 Program Specialist	#18 6 Principals 3 Assistant Principals 1 Dean of Students 1 Superintendent 1 Assistant Superintendent 5 Directors 1 Program Specialist	#18 6 Principals 3 Assistant Principals 1 Dean of Students 1 Superintendent 1 Assistant Superintendent 5 Directors 1 Program Specialist
TOSA/COSA	2 Tech TOSA 1 COSA (Coordinator Safety and Equity)	2 Tech TOSA	2 Tech TOSA
Classified Staff	213	275	272
Classified Management	# 7 1 Assistant Superintendent 3 Directors 3 Confidential	# 7 1 Assistant Superintendent 3 Directors 3 Confidential	# 8 1 Assistant Superintendent 3 Directors 1 Construction Manager 3 Confidential
English Language Learners	4.8% (CALPADS October 2019)	5.39% (CALPADS - October 2018)	5.84% (CALPADS - October 2017)
Students Receiving Free and Reduced Lunch	6.9% (CALPADS October 2019)	7.64% (CALPADS - October 2018)	7.35%
Primary Languages spoken at home other than English	Mandarin, Telugu, Tamil, Hebrew, Spanish, Farsi, Russian, Hindi, Korean, Kannada, Marathi, and as well as 26 other languages	Hebrew, Mandarin, Spanish, Russian, Hindi and Farsi, as well as more than 29 other languages	Hebrew, Mandarin, Spanish, Russian, Hindi and Farsi, as well as more than 29 other languages

WHO'S WHO IN OPUSD

Superintendent	Anthony W. Knight, Ed.D.
Executive Assistant	Ragini Aggarwal
Assistant Superintendent - Business Services	Adam Rauch
Assistant Superintendent - Human Resources	Stewart McGugan
Director, Educational Technology	Enoch Kwok
Director, Curriculum & Instruction	Jay Greenlinger, Ed.D.
Director, Child Nutrition	Carole Ly
Director, Extended Care Programs	Sara Ahl
Director, Bond Programs Sustainability Maintenance & Operations	Brendan Callahan
Director, Fiscal Services	Byron Jones
Director, Pupil Services	Susan Roberts
Director, Preschool Education	Kim Gregorchuk
Program Specialist	Jennifer Golden, Ed.S.
Lead Tech TOSA (Teacher on Special Assignment)	Ellen Chevalier
TOSA (Teacher on Special Assignment)	Ericka Jauchen
COSA (Counselor on Special Assignment)	Holly Baxter
Senior Accountant	Lynn Framer
High School Counselors	Javier Licea
	Janet Svoboda
	Julie Ross
	Jenny Charrett
	Suzanne Stasiefski
Middle School Counselors	Dianne Large
	Stephanie Perez
	Cyndi Smilor
Jeremy Rogers	OVHS, OPIS Counselor
Elementary Counselors	Valeria Fuentes
	Samantha King Eglit
	Alana Schulman
	Allie LeVine
	Russ Peters
District Nurse	Virginia Standring
Oak Park Teachers Association(OPTA), President	Fagen Friedman & Fulfrost
Oak Park Classified Association(OPCA), President	6300 Wilshire Blvd. Suite
Legal Counsel	1700, LA, CA 90048
	(323) 330-6300
	James Fernow, Partner
Auditor	Christy White Accountancy
	2727 Camino Del Rio South
	Suite 219, San Diego, CA
	92108
	(619) 270-8222
	Christy White, CPA, President

WHO'S WHO IN OAK PARK AND VENTURA COUNTY

Supervisor Linda Parks

Ventura County District 2
625 W. Hillcrest Drive, Thousand Oaks, CA 91360,
805-214-2510
linda.parks@ventura.org

Assemblywoman Jacqui Irwin

44th Assembly District
2301 E. Daily Drive, Suite 200, Camarillo, CA 93010
805-482-1904
assemblymember.irwin@assembly.ca.gov

Senator Henry Stern

27th Senate District
5016 N. Parkway Calabasas, Suite 222, Calabasas, CA 91302
818-876-3352

U.S. Representative Julia Brownley

26th Congressional District
223 E. Thousand Oaks Boulevard, Suite 411, Thousand Oaks, CA 91360
805-379-1799

Rancho Simi Recreation and Park District

1692 Sycamore Drive, Simi Valley, CA 93065
818-865-9304
Lisa Weagley, Oak Park Community Center
Dan Paranick, General Manager

Oak Park Municipal Advisory Council

Seema Chandra, Chair, Jane Nye, Vice Chair
Contact Jane Osterhaven - Jan.Osterhaven@ventura.org

Oak Park Education Foundation

Vicki Raven, Executive Director
Scott Star, Chair
info@oakparkeducationfoundation.org

Community Foundation of Oak Park

Alon Glickstein, Chair, Jerry Clebanoff, Vice-Chair
info@OakParkFoundation.org

SCHOOL BOND PROGRAMS

Measure S

Measure S was passed in November 2016 and is a \$60 million bond limited in scope to pay for facilities, technology, and equipment. The tax rate is projected as \$60 per \$100K of assessed valuation.

Measure R

Measure R was passed by Oak Park voters in 2008 and was a \$29.5 million facilities repair and modernization program. The proceeds from this bond have been used to replace roofs, paint, repair, and generally upgrade the existing facilities to ensure that they are safe and modern. The tax is \$52.90 per \$100K of assessed valuation.

Measure C6

Measure C6 was passed in 2006 and was a \$17.5 million bond limited in scope to pay for technology and equipment. It funded one of the most comprehensive programs in educational technology innovation in any California school system. The tax is \$20.30 per \$100K of assessed valuation.

EFFECTIVE GOVERNANCE

School district governance creates and maintains the framework through which high-quality leadership can be exercised throughout the educational system. An effective governance team is one that transforms the beliefs and values of the community into goals and policies that direct the community's schools.

The board and superintendent working together as a governance team, serve to lead the district to achieve the desired goals. Their actions embody the basic characteristics and behaviors that enable each governance team member to work with the others to effectively create a climate for excellence in the school district and maintain a focus on student learning and achievement. This is accomplished by:

- Maintaining a unity of purpose
- Agreeing upon and governing within appropriate roles
- Creating and sustaining a positive governance culture
- Creating a supportive structure for effective governance
- Ensuring accountability to the students, parents, teachers, staff and community

Responsibilities of the Board

Set the direction for the community's schools

- Keep the District focused on learning, achievement and wellbeing for all students
- Generate, review and revise direction setting documents (moral imperatives, vision, priorities, strategic goals, success indicators, budget and LCAP)
- Ensure that the established direction and goals are the driving force for all district efforts

Establish an effective and efficient structure for the school district

- Employ, support and work collaboratively with the Superintendent and recognize the distinct roles of each
- Establish a human resources framework that includes policies for hiring and evaluating personnel
- Establish a framework for the district's collective bargaining process and adopt responsible agreements
- Oversee the development of and adopt district policies and keep them up to date
- Set the direction for and adopt the curriculum
- Establish budget priorities that reflect the district's vision and goals, adopt a fiscally responsible annual budget that supports the LCAP, and regularly monitor the fiscal health of the District
- Oversee facilities issues and ensure that a safe and appropriate educational environment is provided to all students

Provide support through our behavior and actions

- Operate openly, with trust and integrity
- Govern within Board adopted policies, procedures and norms
- Act with professional demeanor that models the district's beliefs and vision, treating everyone with civility and respect
- Support staff implementation of Board direction and policy
- Ensure a positive working climate exists
- Be knowledgeable about district efforts and issues
- Keep private information private, and stay within accordance of the Brown Act
- Conduct announced school site visits and attend special events

Ensure accountability

- Hire, support and collaborate with the superintendent so that the vision, goals, and policies of the district can be implemented.
- Conduct regular and timely evaluations of the superintendent based on the vision, goals, and performance of the district, and ensure that the superintendent holds district personnel accountable
- Monitor, review and revise policies to ensure consistency with the law and the District's vision and goals
- Serve as a judicial and appeals body or appoint others to serve in that capacity
- Monitor student achievement and program effectiveness
- Monitor and adjust district finances
- Monitor the collective bargaining process
- Take collective responsibility for the Board's performance and periodically evaluate its own effectiveness
- Take collective responsibility for all board actions

Act as community leaders

- Speak with a common voice about the district vision, direction, priorities, goals and issues
- Engage and involve the community in district schools and activities
- Ensure opportunities for the diverse range of views in the community to inform board deliberations.
- Communicate clear information about policies, programs and fiscal condition of the district
- Work with individuals and groups within our community to maintain the common good
- Educate the community and the media about the issues facing students, the district and public education
- Advocate for children, district programs and public education to the general public, key community members and local, state and national leaders

Responsibilities of Individual Trustees

Authority is granted to the board as a whole, not each trustee individually; therefore, the board along with the superintendent must work together to make decisions that best serve all students. As such, each Trustee must:

- Keep learning and achievement for all students as the primary focus
- Value, support and advocate for public education
- Recognize and respect differences of perspective and style on the board and among staff, students, parents, and community
- Act with dignity, and understand the implications of demeanor and behavior
- Keep confidential matters confidential
- Commit the time and energy necessary to be an informed and effective leader.
- Understand the role and responsibility of the Board
- Understand that authority rests with the board as a whole and not with individual Trustees
- Work to build and sustain an effective governance team

Recommended Reading

Davis Campbell and Michael Fullan, [The Governance Core, School Boards, Superintendents and Schools Working Together](#) (2019)

Structure, Protocols and Norms

The Board's effectiveness is enhanced through the establishment of structure, protocols and norms that define how board members and the Superintendent will operate within the governance team. This section will explicitly define governance principles, mutually agreed upon expectations, and specific processes under which the team will operate.

BOARD MEETING AGENDAS

Agendas for all regularly scheduled board meetings will be available to the board 10 days prior to the board meeting and to the public 72 hours before a meeting (as required by law).

Agendas for other meetings will be distributed as required by law and board policy.

Supporting materials should be distributed in conjunction with the agenda, or as soon as practical.

Trustee Requests for Agenda Items

Trustees should send requests for agenda items to the Board President and copy the Superintendent.

Trustee Requests for Information

All requests for information should be directed to the Superintendent. The Superintendent will then forward that request to the appropriate staff member. The staff member will then respond to the Superintendent, and the Superintendent will determine whether the response (and the initial request) should be sent out to all Trustees.

If the request is overly time consuming or inappropriate, the Superintendent and Board President will discuss the issue with the requesting Trustee and they will jointly determine whether to move forward with the request.

If a Trustee contacts a staff member directly, the staff has been instructed to route all such requests back to the Superintendent.

If a Trustee is working directly with a staff member as part of a committee or special project, then requests for information pertaining to the committee or project can be sent directly to the staff member, with notification to the superintendent, taking special care to stay within the bounds of an individual trustee.

SCHOOL VISITS

Visiting schools is a reminder to trustees that students and their learning are the primary focus of a trustee's work. These visits provide invaluable insight into how Board policy is implemented at the school site level. Each trustee should have knowledge of each school site and its programs through visits and other forms of communication to ensure that progress towards district goals is being made. School visits also show appreciation and support for the staff's work.

To visit a school, Trustees should contact the individual school's principal, and give notice to the Superintendent, ahead of time to arrange a visit. If possible, trustees will visit sites together to reduce the amount of disruption in the classroom. Trustees should always be cautious about interrupting the

learning environment. Teachers will understand that they do not need to interrupt a lesson when a trustee visits a classroom.

Trustees should avoid showing up at a school site unplanned and unannounced.

Attending School Events and District Functions

Trustees should strive to attend school events and district functions whenever possible. Being present at events is an easy way to lend support to the district, administrators, staff and students. It also allows a Trustee to see first-hand what is happening at the schools and to observe how the programs that have been implemented are supporting district goals. Finally, it is a great way to keep in touch with the Oak Park community.

Badges

- Badges should be worn by school board members whenever on school site campuses and should at all times be readily available to school board members, as this will provide access to school sites in the event of an emergency

Responding to Community Concerns

Whether responding to a complaint from a parent, a concern from a community member or an issue from a teacher or student, it is critically important that a Trustee keep these items in mind:

- An individual trustee has no authority. All decision-making authority rests with the board as a whole.
- A Trustee has no operational role in the school district
- Confidential matters must be kept confidential (by law)

With these three items in mind, a Trustee must respond to questions from the community with understanding, honesty and integrity.

When someone brings a concern to the Board, we will listen carefully without jumping to any conclusion, and will then direct that individual to the employee in the district most appropriate and able to help them resolve their concern. We will make sure they understand the appropriate order of who to contact (i.e., teacher, then principal, then district staff) and are aware of any formal forms or policies that might assist them. The Superintendent and principal(s) will be copied on correspondence.

This will ensure everyone is treated fairly, equally and expeditiously and that the processes and procedures of the district are upheld. It will also clarify that one Board member has no individual authority to fix a problem. As a representative of the public, it is important that the Board member invite the person with the complaint to ultimately get back to him or her if the issue is not resolved.

Responding to Email

If an email is sent to all board members and the superintendent, the Superintendent or Board President will respond to the sender within 24 hours, when possible

If an email is sent to all board members and not the superintendent, the board president will forward to the superintendent and notify the sender that this has been done. The Superintendent or Board President will then respond to the email within 24 hours, when possible

If an email is sent to some board members but not all, the superintendent will forward the email to the missing trustee(s).

Serving on Committees

Each Trustee is required to sit as a member (or act as an alternate) on any number of school or community committees. The assignment to these committees will occur at the annual organizational meeting in December. Serving on committees shall always comply with Board Policy BB-9130.

BOARD MEETING MANAGEMENT

We understand that Board meetings are meetings of the Board held in public, not open forum town hall meetings. We will keep this in mind as we conduct our meetings, allowing the public to provide input at the time allotted to ensure the multiple voices of the community inform Board deliberations.

However, when the Board deliberates, it will be a time for the Board to listen and learn from each other, taking public input into consideration, not a time to re-engage with the public.

We will consistently abide by our formal processes relating to this issue so that all persons are treated fairly and equally. We will review our policies, bylaws and protocols relating to Board meeting management (e.g., time limits on input from members of the public), revising or reaffirming them as appropriate.

BOARD ROLES

Board President

- Fosters an environment of communication by promoting a culture of open, transparent communication.
- Prepares the Board agendas with the Superintendent.
- Chairs the Board meetings ensuring that the community members as well as all board members have opportunities to participate, and facilitates effective deliberation.
- Serves, in collaboration with the superintendent, as the official media contact for the Board.
- Serves as a negotiator for the Superintendent contract.

Board Vice-President

- Chairs the Board Meeting if the President is not available.
- Will assume the role of President should the Board President not be able to continue their term.

The Board Clerk

- When required by law:
 - Certifies actions taken by the Board
 - Signs approved Board meeting minutes
 - Signs documents on behalf of the Board

All Trustees

- Make a concerted effort to attend and be prepared for all regular and special board meetings
- Understand and provide support for district goals
- Maintain a working knowledge of board policies
- Strive to keep current with
 - Local, State and Federal issues dealing with Public Education
 - Issues, processes and legislation relating to the education system
 - The processes of funding for Public Schools
- Attend and/or Complete the following (when applicable and funding allows)
 - New Board Member Workshop
 - CSBA's Masters in Governance Program
 - Board President's Workshop
 - Annual CSBA conferences
 - Take advantage of any free seminars or webinars that are offered

GOVERNANCE CALENDAR

Bold Items are legal timelines

July

- Board Retreat (Review Moral Imperatives and District Goals, Governance Handbook or Board Self Evaluation, Board Goals)

August

- School Begins
- Student Board Representative starts
- Report from Facilities - Summer Work Update
- Approve Board Meeting Schedule for School Year
- Approve Quarterly Williams Report
- Deadline to file for School Board candidacy (even years only)
- Approve Moral Imperatives, Goals & Action Plans
- Approve Board Governance Handbook and Board Goals
- Set/Review Superintendent goals
- Extended Care Presentation
- **Summer layoff deadline Aug 15**
- Attend Back to School Nights

September

- Report from Technology – Summer Work Update
- **Approve Unaudited Actual Revenues and Expenditures**
- Receive and approve Special Education NPS/NPA contracts
- Approve resolution regarding sufficiency of textbooks
- Approve District of Choice Annual Report

October

- Hold a Special Board Meeting
- Receive CAASPP Testing Results and Dashboard Local Indicator Update
- Review Math Placement Data
- Approve Quarterly Williams Report
- Review annually policies Per Ed Code 35160.5
 - BP 6145 - Extracurricular and Cocurricular Activities
 - BP 5116.1 - Intradistrict Open Enrollment

November

- Approve DOC Resolution
- Approve School Calendar
- Approve Classified Holiday Calendar
- Select Date of Annual Organization Meeting
- Facilities Status Report - to be provided in Friday Notes

December

- **Hold Board Organizational Meeting (must be held within 15 days after the second Friday)**
- Approve Board Meeting schedule for fiscal year
- Approve certification of signatures
- **First Interim Financial Report & Budget Update**
- District of Choice applications due by December 31
- **Approve District of Choice Enrollment Capacity**

January

- **Approve District of Choice Resolution Space Availability Resolution**
- Conduct District of Choice Lottery if needed
- Approve External Auditors Reports
- Approve Quarterly Williams Report
- Mid-year review of Moral Imperatives and Goals & Superintendent goals

February

- Receive Physical Fitness Results
- Approve SARCs
- Nominate CSBA Delegate Assembly candidates
- RWW Presentation

- Approve Safe School Plans
- **Reduction or Discontinuing Particular Kinds of Services (RIF) Notices due by March 15**

March

- Special Board Meeting
- Approve Single Plan for Student Achievement
- **Second Interim Financial Report & Budget Update**
- BrightBytes Data and Technology Update

April

- Superintendent Evaluation - Board Discussion
- Presentation on Safe Kids Trask Force Data and Social Emotional Wellness
- Approve Quarterly Williams Report

May

- Special Board Meeting
- Present Superintendent Evaluation
- Approve Instructional Minutes / Bell Schedule
- Approve School Handbooks & Disciplinary Plans
- **Final layoff deadline May 15**
- Receive Annual District of Choice Report
- Receive LCAP for next school year
- School Ends/Attend Graduations

June

- Budget and LCAP Study Session and Hearings
- **Adopt the budget and LCAP (prior to June 30)**
- Rescind RIFs
- Receive OPCOC Report
- Renew Superintendent's contract (if needed)
- Approve Certification of Signatures
- Approve CSBA Membership
- Extended Care Presentation with Financials
- Food Service Report - In Friday Notes

TO: BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.3.c. REVIEW, AMEND, AND APPROVE 2020-2021 MORAL IMPERATIVES AND GOALS

ACTION

ISSUE: Shall the Board of Education review, amend and approve the 2020-2021 Moral Imperatives, Goals and Action Plans?

BACKGROUND: On October 4, 2020 at the Board Retreat, the Board of Education reviewed and amended the 2020-2021 Moral Imperatives and Goals. The Leadership Team has reviewed them and at this time, the Board will review and revise as needed. The Moral Imperatives and Goals are included for the Board review.

- ALTERNATIVES:**
1. Approve the amended 2020-2021 Moral Imperatives, Goals and Action Plans.
 2. Do not approve the amended 2020-2021 Moral Imperatives, Goals and Action Plans.

RECOMMENDATION: At Board’s discretion.

Respectfully submitted,

 Anthony W. Knight, Ed.D.
 Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____



OPUSD MISSION AND MORAL IMPERATIVES

The mission of OPUSD is to provide students with a strong foundation for learning which meets the challenge of the present and future through quality education which includes academic achievement, personal growth, and social responsibility. By continuously collaborating with students, parents, staff, and the broader community, OPUSD is committed to the following Moral Imperatives, whether in a traditional setting or through distance learning, to achieve our mission:

- 1. TEACHING AND LEARNING:** *All students can exceed California State Standards, become lifelong learners, and reach their potential.*
 - We provide learning opportunities that are authentic, personally meaningful, and incorporate critical thinking, communication, creativity, and collaboration.
 - We encourage students to be independent thinkers, producers, and innovative problem solvers who explore, create, discover, and reflect.
 - We ensure that our programs address the well-being of the whole child, including nutrition, physical fitness, stress management, and mental health.
 - We utilize technology in a well-thought-out manner so that students learn to be responsible, judicious, and effective users of information, media, and technology.
 - We create a diverse and equitable environment for student learning that is safe, balanced, and nurturing.
 - We are inclusive of all students' strengths and abilities, encouraging a growth mindset and recognizing progress as well as achievement.
 - We encourage our learning community to embrace new ideas, continue to innovate, try new things, and learn from our mistakes.
- 2. MORAL CHARACTER:** *All students can grow to be compassionate and creative global citizens.*
 - We recognize, embrace, and learn from the diversity, perspectives, and abilities that students and staff bring to our learning community.
 - We foster character development, model ethical and compassionate behavior, and encourage social and environmental responsibility, civility, service, and global stewardship.
 - We support and promote students' uniqueness, helping build confidence and cooperation.
 - We require that our learning community acts with integrity, respects their own intellectual and creative work as well as that of others, and demonstrates honesty in their academic endeavors.
- 3. ORGANIZATION AND SHARED LEADERSHIP:** *OPUSD's success depends on the support of all of our stakeholders, self-reflection, and a culture of continuous improvement.*
 - We encourage teachers to be leaders and support their innovation.
 - We cultivate a work environment where the skills, expertise, commitment, and morale of all staff is valued and recognized.
 - We empower all OPUSD staff members to accept personal responsibility for student success.
 - We work with employee organizations to promote positive morale, to jointly and respectfully solve problems, and to be a model of a professional and collaborative working relationship.
 - We actively engage parent organizations, the Oak Park Education Foundation, and community stakeholders in ongoing and dynamic communication.
- 4. FINANCE, BUDGET, AND FACILITIES:** *OPUSD must conduct school district business with integrity.*
 - We operate efficiently, effectively, and with transparency.
 - We maximize the safety and security of all those within our facilities and on our grounds.
 - We maintain a balanced budget that supports our values, mission, Moral Imperatives, LCAP, bond master plan, and reflects our goals.
 - We ensure that our resources are thoughtfully utilized to support our priorities and long-term infrastructure needs.



OAK PARK USD GOALS 2020-21

These goals have been developed taking into consideration the following sources of input: 2020 LCAP, 2019 Challenge Success recommendations and survey results, 2018 Healthy Kids Survey results, 2019 Bright Bytes survey results, 2020 Learning Continuity Plan, staff and parent survey results, high school WASC Action Plans, Measure S Plan, District committee work, and PTO Council discussions, and are aligned with the District's mission and Moral Imperatives.

1. Adapt the school system to educate students during the pandemic.

- a. Move towards a full in-person educational model as soon as possible while adhering to state and county guidelines and providing a safe environment for all students and staff.
- b. Build and deliver a strong and reliable Distance Learning model that will allow all students to continue to learn from home as necessary. This includes sufficient technology for teachers and students, technology support that enables all students to effectively participate in the educational program, and a continual improvement of our delivery model so that it is effectively supported by the district technology platform.
- c. Provide ongoing professional development and support for teachers and support staff that will allow for engaging and innovative learning, including authentic experiences while in Distance Learning.
- d. Work collaboratively with staff to design and support a hybrid model that combines in-person learning with Distance Learning that can be implemented when conditions allow.
- e. Support student and family connectivity and engagement with their teachers, classmates, and schools.
- f. Implement strategies to identify, connect, and serve students and families who may be experiencing crisis or mental health concerns due to the pandemic and the inability to be on campus in a normal school setting.
- g. Ensure we meet the needs of students who have special needs, are English Learners, lower socioeconomic, or require other accommodations.
- h. Recognizing that varying degrees of learning loss will occur, develop means to identify, address, and communicate gaps in learning for each student. Design teaching strategies that minimize learning loss as much as possible.
- i. Be sensitive, supportive, and recognize the challenges of teaching and learning during the pandemic.

2. Strengthen the Climate of Care by developing and promoting the factors that distinguish Oak Park's model of educating the whole child.

- a. Examine the ways in which all students are recognized and awarded to ensure that all students feel connected to their school, valued, and honored and that are more inclusive showing that in Oak Park, *EVERY student is honored and valued.*
- b. Engage the staff, students, and families in exploring ways to strengthen student engagement and connectedness to our schools.
- c. Maintain our relationship with Challenge Success and explore possibilities for adapting the program to the present environment.
- d. Continue the work at OPHS related to alternative credits, summer school expansion, scheduling, availability and accessibility of advanced placement classes, and dual enrollment opportunities while maintaining the integrity of the instructional program, and investigate internships and other programs that provide additional opportunities for students.
- e. Explore Hybrid OPIS/OPHS model that would allow for a true blended program between the comprehensive high school and independent school programs.
- f. Ensure that our schools encourage diversity and are places of acceptance, appreciation, and celebration for our learning community. Develop and support an equity action plan, and the necessary tools to implement it based on the recommendations of the Diversity and Equity Task Force and our Equity Consultant.

3. Continue to ensure that District-wide athletics, arts, enrichment, and extracurricular activities complement the academic mission of our schools.

- a. Offer programs of which all its participants, students, parents, coaches, and administrators can be proud and where lifelong personal and community wellness and contributing productive citizens is promoted.
- b. Ensure that each student-athlete receives the best educational opportunity.



- c. Provide an environment that supports physical, mental, and social development by encouraging student-athletes to practice and compete to their full potential.
- d. Afford opportunities for participation to a wide segment of the school population with the goal of meeting gender equity guidelines.

4. Engage staff more deeply in shared-decision making and improve communication with staff, parents, students, and the community.

- a. Build out a completely new website and explore a process for continuous updating, and alternatives for ongoing overall website maintenance
- b. Develop regular communication pieces from the District for parents and the community using a variety of platforms.
- c. Strengthen teacher leadership and support models in the following areas: NGSS, Sustainability, Reading and Writing Workshop, Math, STEAM, Technology.
- d. Reimagine a process to effectively invite and utilize feedback through a wide range of modalities from stakeholders including staff, parents, students, and the community, and communicate what is being done in response to feedback.
- e. Examine and codify an application process for selecting participants of District wide committees.

5. Continue to expand school safety and student/staff well-being initiatives.

- a. Focus on student well-being in areas noted above and ensure that there are avenues for all students to feel comfortable, secure, and safe in communicating with their teachers, counselors, and administrators.
- b. Find ways to integrate our progressive child nutrition program with the instructional program.
- c. Continue to collaborate with staff to provide opportunities for their self-care especially during this extraordinary year.
- d. Continue to work on physical safety issues such as surveillance, preparation for earthquakes, fire, evacuation, etc.
- e. Update our PE programs to ensure an inclusive program that fosters a life-long commitment to physical fitness, a love of the outdoors, and encourages healthy, active lifestyles that include activities, such as walking, hiking, biking, etc.

6. Deepen student learning through Nature-based Experiences and Environmental Stewardship in all areas of the instructional program and foster creativity, play, experiential, and inquiry-based learning.

- a. Promote project and nature-based learning and environmental stewardship.
- b. Increase structured and unstructured activities in nature during distant learning as well as on campus learning and on field trips (upon return to in person learning).
- a. Embed the state Environmental Principles and Concepts and the U.N. Sustainable Development Goals into the curriculum at all levels.
- b. Design new outdoor learning spaces, including playgrounds and outdoor classrooms, for students of all ages to learn, explore, and discover.
- c. Provide and promote professional development for staff, parents, and the community in these areas.

7. Use resources responsibly to maintain a balanced budget this year and in subsequent years.

- a. Balance an increase to our reserves for economic uncertainties with the need to provide a high quality education for our current students.
- b. Assess the District's technology plan to project the ability to continually fund a district wide refresh and 1:1 Chromebook/device program in subsequent years.
- c. Study trends for declining enrollment and devise plans to address and possibly reverse it.

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.3.d. **DISCUSSION ON HOLDING IN-PERSON MEETING DURING COVID-19 RESTRICTIONS**

DISCUSSION

ISSUE: Shall the Board of Education discuss holding in-person board meetings during COVID-19 restrictions?

BACKGROUND: Board members have expressed interest in holding in-person meetings. Governor Newsom’s Executive Order N-29-20 allows local legislative or state bodies to hold public meetings via teleconference without having to provide a physical location from which members of the public may observe the meeting and offer public comment, as long as members of the public are allowed to observe and address the meeting telephonically or otherwise electronically, subject to specified notice and accessibility requirements. Staff will provide information regarding hybrid board meetings where some members of the board and staff attend in person while others attend remotely.

RECOMMENDATION: None – for information, discussion only.

Respectfully submitted,

Anthony W. Knight Ed.D.,
Superintendent

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.4.a. APPROVE AMENDMENT TO BOARD POLICY AND EXHIBIT 3555 NUTRITIONAL PROGRAM COMPLIANCE – First Reading

ACTION

ISSUE: Should the Board of Education approve the amendment to Board Policy and Exhibit 3555 Nutritional Program Compliance?

BACKGROUND: Board Policy 3555 updated to reflect NEW STATE REGULATIONS (Register 2020, No. 21) which provide that complaints regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses should be submitted directly to the California Department of Education (CDE), and complaints alleging discrimination on the basis of race, color, national origin, sex, age, or disability should be submitted to the U.S. Department of Agriculture (USDA). Complaints regarding other program requirements or other bases for discrimination are to be investigated and resolved at the district level. Policy also deletes the USDA nondiscrimination statement that must be included on all forms of communication regarding program availability, which is now presented in the accompanying exhibit. New exhibit presents the USDA statement, formerly in BP 3555, which must be included on all forms of communication available to the public regarding the availability of child nutrition programs in order to advise the public of the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints against the district. Board Policy 3555 is being submitted with recommended language from CSBA.

- ALTERNATIVES:**
1. Approve amendment to Board Policy and Exhibit 3555 Nutritional Program Compliance.
 2. Do not approve amendment to Board Policy and Exhibit 3555 Nutritional Program Compliance.

RECOMMENDATION: Approval of Alternative #1.

Respectfully submitted,

 Anthony W. Knight, Ed.D.
 Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 3000

Business and Non-Instructional Operations

BP 3555(a)

Nutrition Program Compliance

The Governing Board recognizes the district's responsibility to comply with state and federal nondiscrimination laws as they apply to the district's nutrition programs. The district shall not deny any individual the benefits or service of any nutrition program or discriminate ~~against him/her~~ on any basis prohibited by law.

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

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

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5030 - Student Wellness)

Compliance Coordinator

The Board ~~designates~~ shall designate a compliance coordinator for nutrition programs, who may also be the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures ~~as the district's civil rights coordinator~~, to ensure compliance with the laws governing ~~its~~ the district's nutrition programs ~~and to investigate any related complaints~~.

The responsibilities of the compliance ~~officer~~/coordinator include, but are not limited to:

1. Providing the name of the ~~civil rights~~compliance coordinator, and the Section 504 coordinator; and Title IX coordinator; if different from the ~~civil rights~~compliance coordinator, to the California Department of Education (CDE) and other interested parties

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

2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff

The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.

3. Establishing admission and enrollment procedures that do not restrict enrollment of students on the basis of race, ethnicity, national origin, or disability, including preventing staff from incorrectly denying applications and ensuring that such persons have equal access to all programs

(cf. 6159 - Individualized Education Program)

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4. Sending a public release announcing the availability of the child nutrition programs and/or changes in the programs to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants
5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below
6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency
7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities
8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet

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

9. Implementing procedures to process and resolve civil rights (discrimination) complaints and program-related complaints, including maintaining a complaint log ~~and~~, working with the appropriate person to resolve any complaint, [and referring the complainant to the appropriate state or federal agency when necessary](#)
10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants

(cf. 5022 - Students and Family Privacy Rights)

(cf. 5125 - Student Records)

(cf. 5145.13 - Response to Immigration Enforcement)

Notifications

The [compliance coordinator shall ensure that the](#) U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster or a substitute poster approved by the USDA's Food and Nutrition Service ~~shall be~~ displayed in areas visible to the district's nutrition program participants, such as food service areas and school offices.

The [compliance](#) coordinator shall notify the public, all program applicants, participants, and potentially eligible persons of their ~~program~~-rights and responsibilities and steps necessary ~~for participation~~ [to participate in the nutrition programs](#). Applicants, participants, and the public also shall be advised of their right to file a complaint, how to file a complaint, the complaint

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procedures, and that a complaint may be file anonymously or by a third party.

(cf. 5145.6 - Parental Notifications)

In addition, the compliance coordinator shall ensure that all forms of communication available to the public regarding program availability shall contain, in a prominent location, ~~the following statement:~~ a statement provided by USDA about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district.

~~"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.~~

~~Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.~~

~~To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.aseer.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:~~

~~(1) — mail: U.S. Department of Agriculture
— Office of the Assistant Secretary for Civil Rights
— 1400 Independence Avenue, SW
— Washington, D.C. 20250-9410;~~

~~(2) — fax: (202) 690-7442; or~~

~~(3) — email: program.intake@usda.gov.~~

~~This institution is an equal opportunity provider."~~

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Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude ~~menus-items~~ such as cups, buttons, magnets, and pens that identify the program when the size or configuration makes it impractical. The nondiscrimination statement need not be included on every page of program information on the district's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.

A short version of the nondiscrimination statement, ~~stating "This institution is an equal-opportunity provider,"~~ as provided by USDA, may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

Complaints of Discrimination

~~Any~~ A complaint ~~concerning~~ alleging discrimination in the district's nutrition program(s) on the basis of race, color, national origin, sex, age, or disability shall, within 180 days of the alleged discriminatory act, be filed or referred to USDA at: (5 CCR 15582)

U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English, deaf, hard of hearing, or speech disabilities), (800) 845-6136 (Federal Relay Service - Spanish), fax (202) 690-7442, or email program.intake.usda.gov

Complaints of discrimination on any other basis shall be investigated by the district using the process identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

~~When a complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability is unresolved at the district level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following agencies:~~

~~1. Child Nutrition Program Civil Rights and Program Complaint Coordinator, California Department of Education, Nutrition Services Division, 1430 N Street, Room 4503, Sacramento, CA 95814-2342 or call (916) 323-8531 or (800) 952-5609~~

~~2. U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English), (800) 845-6136 (Federal Relay Service - Spanish), fax (202) 690-7442, or email program.intake.usda.gov.~~

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Complaints Regarding Noncompliance with Program Requirements

Any complaint alleging that the district has not complied with program requirements pertaining to meal counting and claiming, reimbursable meals, eligibility of a child or adult, use of cafeteria funds and allowable expenses shall be filed with or referred to CDE. (Education Code 49556; 5 CCR 15584)

Complaints of noncompliance with any other nutrition program requirements shall be submitted to and investigated by the district using the following procedures.

Complaints may be filed by a student or the student's parent/guardian by phone, email, or letter. The complaint shall be submitted within one year from the date of the alleged violation and shall include the following: (5 CCR 15581)

1. A statement that the district has violated a law or regulation relating to its child nutrition program
2. The facts on which the statement is based
3. The name of the district or the school against which the allegations are made
4. The complainant's contact information
5. The name of the student if alleging violations regarding a specific student

The district shall investigate and prepare a written report pursuant to 5 CCR 4631. (5 CCR 15583)

Unless extended by written agreement with the complainant, the district's compliance coordinator shall investigate the complaint and prepare a written report to be sent to the complainant within 30 calendar days of the district's receipt of the complaint. If the complainant is dissatisfied with the compliance coordinator's decision, the complainant may, within five business days, file the complaint in writing with the Board.

The Board shall consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered pursuant to 5 CCR 4631. When required by law, the matter shall be considered in closed session. The Board may decide not to consider the complaint, in which case the coordinator's decision shall be final.

(cf. 9321 - Closed Session)

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If the Board considers the complaint, the Board's decision shall be sent to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

If the complainant is not satisfied with the findings in the district's report, the complainant may appeal the decision to CDE by filing a written appeal within 30 days of receiving the decision. (5 CCR 4632)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
42238.01 Definitions for purposes of funding
48985 Notices to parents in language other than English
49060-49079 Student records
49490-49590 Child nutrition programs

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section
4600-~~4687~~4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
15580-15584 Child nutrition programs complaint procedures

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities ~~in~~ Education Act
1681-1688 Discrimination based on sex or blindness, Title IX

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
~~2000h-2000h-6 Title IX~~

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.19 National School Lunch Program, additional responsibilities
210.23 National School Lunch Program, district responsibilities
215.7 Special Milk Program, requirements for participation
215.14 Special Milk Program, nondiscrimination
220.7 School Breakfast Program, requirements for participation
220.13 School Breakfast Program, special responsibilities of state agencies
225.3 Summer Food Service Program, administration
225.7 Summer Food Service Program, program monitoring and assistance
225.11 Summer Food Service Program, corrective action procedures
226.6 Child and Adult Care Food Program, state agency administrative responsibilities
250.15 Out-of-condition donated foods, food recalls, and complaints

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act
36.303 ~~Auxiliary~~ Nondiscrimination on the basis of disability, public accommodations, auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

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100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs,
~~rev. November 2015~~ June 2018

U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE PUBLICATIONS

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1,
November 2005

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

Notice of Non-Discrimination, August 2010

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

U.S. Department of Agriculture, Food and Nutrition Services: <http://www.fns.usda.gov>

U.S. Department of Agriculture, Office for Civil Rights: <http://www.ascr.usda.gov>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

Adopted: 9-20-2016

Amended: 10-28-20

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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Business and Non-Instructional Operations

E 3555(a)

Nutrition Program Compliance

NONDISCRIMINATION STATEMENT FOR NUTRITION PROGRAMS

The following statement shall be included, in a prominent location, on all forms available to the public regarding the availability of the district's child nutrition programs:

"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: <http://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer>, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov

This institution is an equal opportunity provider."

On pamphlets, brochures, and flyers, in the same print size as the rest of the text, the district may print a short version of the nondiscrimination statement, as follows:

"This institution is an equal opportunity provider."

Adopted: 10-28-20

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.4.b. APPROVE AMENDMENT TO BOARD POLICY AND ADMINISTRATIVE REGULATION 5144.1 SUSPENSION AND EXPULSION DUE PROCESS – First Reading

ACTION

ISSUE: Should the Board of Education approve the amendment to Board Policy and Administrative Regulation 5144.1 Suspension and Expulsion Due Process?

BACKGROUND: Board Policy 5144.1 and regulation updated to reflect NEW LAW (SB 419) which prohibits districts from suspending students in grades 4-8 for disrupting school activities or willfully defying the authority of school personnel. Policy also references NEW LAW (AB 982) which requires a district to provide a student who is suspended for two or more days with the homework assigned during the period of suspension. Regulation adds new section on "Additional Grounds for Suspension and Expulsion: Grades 9-12" reflecting the option to suspend, but not expel, a student in grades 9-12 for disruption or willful defiance. Board Policy 5144.1 is being submitted with recommended language from CSBA.

- ALTERNATIVES:**
1. Approve amendment to Board Policy and Administrative Regulation 5144.1 Suspension and Expulsion Due Process.
 2. Do not approve amendment to Board Policy and Administrative Regulation 5144.1 Suspension and Expulsion Due Process.

RECOMMENDATION: Approval of Alternative #1.

Respectfully submitted,

 Anthony W. Knight, Ed.D.
 Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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Students

BP 5144.1(a)

Suspension And Expulsion/Due Process

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

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

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

Except when otherwise permitted by law, a student may be suspended or expelled only when **his/her**the behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

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

(cf. 5112.5 – Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

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

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when **his/her**the student's presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

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BP 5144.1(b)

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

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

NOTE: Staff is recommending OPTION 1. This was changed in order to provide the high school flexibility and leverage for foreseen and unforeseen behavioral issues and circumstances. Education Code 48900.5 still applies as documented AR 5144.1(g) under the section Suspension by Superintendent, Principal or Principal's Designee where *other means of correction* need to be administered prior to all suspensions for disruption or willful defiance.

OPTION 1: No student in grades K-8 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

~~OPTION 2: No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)~~

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

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

On-Campus Suspension

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

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory

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recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation ~~under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12,"~~ the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

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

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

(cf. 5148.3 - Preschool/Early Childhood Education)

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Students

BP 5144.1(d)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. -The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5144.2 - Suspension and Expulsion/Due Process (~~Individuals~~Students with Disabilities))

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall ~~annually~~ maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds ~~of~~for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

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

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

8239.1 Prohibition against expulsion of preschool student

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (~~re~~regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

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48900-48927 Suspension and expulsion
48950 Speech and other communication
48980 Parental notifications
49073-49079 Privacy of student records
52052 Numerically significant student subgroups
52060-52077 Local control and accountability plan
64000-64001-Consolidated application
CIVIL CODE
47 Privileged communication
48.8 Defamation liability
CODE OF CIVIL PROCEDURE
1985-1997 Subpoenas; means of production
GOVERNMENT CODE
11455.20 Contempt
54950-54963 Ralph M. Brown Act (~~re closed sessions~~)
HEALTH AND SAFETY CODE
11014.5 Drug paraphernalia
11053-11058 Standards and schedules
LABOR CODE
230.7 Employee time off to appear in school on behalf of a child
PENAL CODE
31 Principal of a crime, defined
240 Assault defined
241.2 Assault fines
242 Battery defined
243.2 Battery on school property
243.4 Sexual battery
245 Assault with deadly weapon
245.6 Hazing
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.27 Laser pointers
422.55 Hate crime defined
422.6 Interference with exercise of civil rights
422.7 Aggravating factors for punishment
422.75 Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors, or stun guns
868.5 Supporting person; attendance during testimony of witness
WELFARE AND INSTITUTIONS CODE
729.6 Counseling
UNITED STATES CODE, TITLE 18
921 Definitions, firearm
UNITED STATES CODE, TITLE 20
1415(K) Placement in alternative educational setting
~~7151~~7961 Gun-free schools
UNITED STATES CODE, TITLE 42
11432-11435 Education of homeless children and youths

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Students

BP 5144.1(f)

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

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

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

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

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301, ~~308~~

ATTORNEY GENERAL OPINIONS

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

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

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

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

Management Resources:

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us> <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and ~~Safe and~~ Healthy Students:

<http://www2.ed.gov/about/offices/list/ose/osh>

Adopted: 5-24-78

Amended: 10-15-80; 5-15-84; 5-2-95; 2-2-99; 2-20-01; 9-17-02; 6-17-03, 6-15-04, 3-22-05,
9-18-12, 2-19-13, 8-19-14, 4-21-15, 4-17-18, 2-19-19, [10-28-20](#)

OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

Series 5000

Students

AR 5144.1(a)

Suspension And Expulsion/Due Process

Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910.

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. -(Education Code 48925)

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows [and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:](#)

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury -(Education Code 48900(a) and (t))

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2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property-. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products. (Education Code 48900(h))

For purposes of this section, “*products containing tobacco or nicotine products*” means a product or device as defined in subdivision (d) of Section 22950.5 of the Business and Professions Code and include electronic cigarettes that can deliver nicotine and non-nicotine vaporized solutions.

“*Possessed or used*” means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code 48901)

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(cf. 5131.62 – Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Knowingly received stolen school property or private property. (Education Code 48900(l))
12. Possessed an imitation firearm-. (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. -(Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing. (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. *Hazing* does not include athletic events or school-sanctioned events.- (Education Code 48900(q))

17. Engaged in an act of bullying. (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a ~~ability to participate in or benefit from the services, activities, or privileges provided by a school.~~ reasonable student in fear of harm to ~~himself/herself~~ ~~self~~ or ~~his/her~~ property; cause the student to experience a substantially detrimental effect on ~~his/her~~ physical or mental health; or cause

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the student to experience substantial interferences with ~~his/her~~ academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section “Additional Grounds for Suspension and Expulsion: Grades 4-12” that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image
- b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of ~~the student's his/her~~ age, or for a person of ~~the student's his/her~~ age ~~and with his/her~~ disability. (Education Code 48900(r))

(cf. 1114 – District-Sponsored Social Media)

(cf. 5131.2 – Bullying)

(cf. 6163.4 – Student Use of Technology)

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

(cf. 6164.6 – Identification and Education under Section 504)

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31-. (Education Code 48900(t))

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19. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A *terrorist threat* includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

Additional Grounds for Suspension and Expulsion: Grades 4-12

~~Any student in grades 4–12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))~~

~~(cf. 5131.4 – Student Disturbances)~~

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that **the student** ~~the/she~~:

- a. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment.- (Education Code 212.5, 48900.2)

~~(cf. 5145.7 - Sexual Harassment)~~

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233-. (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

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

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or

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students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

Additional Grounds for Suspension and Expulsion: Grades 9-12

Any student in grades 9-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.

(cf. 5131.4 - Student Disturbances)

Suspension from Class by a Teacher

A teacher may suspend a student, ~~including a grade K-3 student,~~ from class for the remainder of the day and the following day for ~~disruption, willful defiance, or any of the other~~ acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above ~~or for disruption or willful defiance at any grade level, including grades K-8.~~ (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, ~~the student he/she~~ shall be appropriately supervised during the class periods from which ~~the student he/she~~ has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, ~~the teacher he/she~~ shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. -A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which ~~the student he/she~~ was suspended. (Education Code 48910)

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The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" ~~and for which he/she is required to~~ a recommendation of expulsion ~~required~~. (Education Code 48915 (c))

The Superintendent, principal, or designee may impose a suspension for a first offense if ~~he/she-it is determined~~s that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. -(Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record (Education Code 48900.5)

(cf. 5125 – Student Records)

Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. -(Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, ~~the student he/she~~ may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of

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days for which the student may be suspended in any school year. -(Education Code 48903, 48911, 48912)

(cf. 6184 – Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. -(Education Code 48911)

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

- 1.— **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student ~~him/her~~, and shall be given the opportunity to present the student ~~his/her~~ version and evidence. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference. and the conference shall be held within two school days, unless the student waives the ~~his/her~~ right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. -(Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. -(Education Code 48900.8)

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In addition, the notice may state the date and time when the student may return to school.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied ~~reinstatement~~ ~~readmission~~ solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: -(Education Code 48911)
- a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
 - b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)
 - c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 – Education for Foster Youth)

- d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

(cf. 6173 – Education for Homeless Children)

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may

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provide services or require the student to participate in an alternative disciplinary program designed to correct ~~the his/her~~ behavior and keep ~~the student him/her~~ in school.

Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079. -(Education Code 35146, 48912)

(cf. 9321 - Closed Session)

The Board shall provide the student and ~~his/her~~ parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

On-Campus Suspension

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply:- (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

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4. The student shall be responsible for contacting the student's ~~his/her~~ teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code 48911.1)

Superintendent or, Principal's Authority to Recommend Expulsion

Unless the Superintendent, or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, the Superintendent or principal ~~he/she~~ shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication ~~for his/her use~~ or other medication prescribed ~~for him/her~~ by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

Student's Right to Expulsion Hearing

Any student recommend for expulsion shall be entitled to a hearing to determine whether the student ~~he/she~~ should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

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If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

Stipulated Expulsion

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and ~~their~~ parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or ~~his/her~~ parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

The stipulation agreement shall be in writing and shall be signed by the student and ~~their~~ parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of ~~the his/her~~ right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student and ~~their~~ parent/guardian shall be effective **upon** approval by the Board.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, **the superintendent or designee** ~~he/she~~ shall give the complaining witness a copy of ~~the district's suspension and expulsion policy and regulation and shall advise the witness of~~ the right to ~~his/her right to~~ (Education Code 48918.5)

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1. Receive five days' notice of ~~the his/her~~-scheduled testimony at the hearing
2. Have up to two adult support persons ~~of their choosing~~ present at the hearing at the time ~~the witness he/she~~ testifies
3. Have a closed hearing during the time the witness testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment.

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

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6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. - (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. -(Education Code 48918.1)

Conduct of Expulsion Hearing

1. **Closed Session:** Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify ~~have his/her testimony heard~~ in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

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2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. **Presentation of Evidence:** Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," ~~and~~ "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above. (Education Code 48918(h)) (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

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5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: -(Education Code 48918, 48918.5)
- a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during ~~the~~ ~~his/her~~ testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom ~~they~~ ~~finds~~ is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, ~~;~~ or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which they may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness

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- (b) Limit the time for taking the testimony of a complaining witness to ~~the hours they are normally in school hours~~, if there is no good cause to take the testimony during other hours
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. **Decision:** The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from ~~his/her~~ school ~~of attendance~~, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918 (a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by ~~the student's his/her~~ parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that

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the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

Final Action by the Board

Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

(cf. 9321.1—Closed Session Actions and Reports)

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

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Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12," ~~"or~~ "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board ~~-(Education Code 48918)~~
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion ~~-(Education Code 48918)~~
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 ~~-(Education Code 48918)~~

Decision to Suspend Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and ~~his/her~~ willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)

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2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," ~~or~~ "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.(Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. -(Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919) following the student's written request. (Education Code 48919)

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Notifications to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10 (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol or intoxicants of any kind. (Education Code 48902)

Placement During Expulsion

The Board shall refer expelled students to a program of study that is:- (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 – Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K- 6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

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Each school site administrator shall take steps to see that services are provided for students who have an expulsion hearing. A student whose behavior has resulted in expulsion shall be given a rehabilitation plan that is designed by the district of residence. When recommended placement includes a classroom option, it is possible that the placement may not be available in the Oak Park Unified School District. Any recommended placement shall be monitored and appropriate documentation maintained by district and/or site personnel. This plan may involve one or more of the options outlined below.

Oak Park Unified School District education alternatives for expelled pupils includes:

Secondary Students (7-12)

1. Expulsion with subsequent transfer to another school district or private school – classroom option. (Responsibility of parent to notify other district. No financial obligations on the part of OPUSD)
2. Expulsion with referral to Ventura County Superintendent of Schools Court and Community School Program – classroom option (Gateway School – Camarillo site)
3. Suspended expulsion with referral to district independent Study Program or placement with rehabilitation plan on OPUSD site.

Elementary Students (K-6)

1. Expulsion with subsequent transfer to another school district or private school – classroom option (Responsibility of parent to notify other district. No financial obligations on the part of OPUSD.)
2. Suspended expulsion with referral to district Independent Study program or placement with rehabilitation plan on OPUSD site. (Education Code 51745 – Voluntary program – cannot be mandated).

Secondary students referred back to Oak Park Unified School District due to second violations, non-attendance or failed placement:

We believe that the appropriate response to students who have been removed from the county-operated Community School Program is to inform the parents that 1) the parents are compelled by law to educate their child, and 2) it is their responsibility to find an educational placement. The child's expellable behavior has deemed the student unsuitable for either regular school or alternative school placement. The parents' options are: a) request Independent Study if agreeable to the community school administration; b) provide private tutoring at parents' expense; c) enroll in a private full-time day school at parents' expense; or d) pursue enrollment with another school district's board (unless student is expelled for injurious behavior, weapons, drugs, drug dealing, assault or other "zero tolerance" offenses [Education Code 48915(a) or (c)]). In essence, the district will have fulfilled its obligation to secure an educational program to the extent funds are apportioned.

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Elementary students referred back to Oak Park Unified School District due to second violations, non-attendance or failed placement:

The respective strategies in the county plan include statements that: “A regional program may be developed to address geographical factors or limited numbers”; and “A regional program may be developed to meet this need (grades 1 to 6 placement).” The Oak Park Unified School District Board of Education and principals strongly recommend that the Ventura County Superintendent coordinate a consortium of small districts which are impacted by gaps in #3, #4, #5 and #6 of the County Plan. The purpose of this consortium will be to explore, plan and implement an educational placement which meets the needs found in the above referenced gaps.

Readmission After Expulsion

Prior to the date set by the Board for the student’s readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board a ~~his/her~~ recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

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No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record, and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

Adopted: 5-15-84

Amended: 5-6-97; 2-2-99; 2-20-02; 9-17-02; 6-17-03, 11-05, 11-08, 3-10, 3-12, 7-12, 11-12, 4-14, 4-21-15, 4-17-18, 2-19-19, [10-28-20](#)

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.4.c. APPROVE AMENDMENT TO BOARD POLICY AND EXHIBIT 5145.6 PARENTAL NOTIFICATIONS – First Reading

ACTION

ISSUE: Should the Board of Education approve the amendment to Board Policy and Exhibit 5145.6 Parental Notifications?

BACKGROUND: Board Policy 5145.6 updated for gender neutrality and to update legal references based on new laws reflected in the accompanying exhibit. Exhibit updated to reflect NEW LAW (SB 74, 2020) which extends the suspension of certain mandated activities through the 2020-21 school year; reflect NEW FEDERAL REGULATION (85 Fed. Reg. 30026) which requires notice of the contact information of the district's Title IX Coordinator; delete legal cites for the Open Enrollment Act, which is no longer operational; delete reference to BP 5141.33 which is no longer applicable to exclusions from school; reflect NEW LAW (SB 1109, 2018) which requires dissemination of an opioid fact sheet to parents/guardians of student athletes; reflect NEW LAW (AB 2370, 2018) which requires child care centers with buildings constructed before 2010 to test drinking water for lead and notify parents/guardians of the results of that test; add notice requirements for districts receiving Impact Aid for children residing on Indian lands; reflect NEW FEDERAL REGULATION (85 Fed. Reg. 30026) which requires notifications to the parents/guardians of a student who complains of sexual harassment regarding rights, the complaint process, and the availability of supportive measures; and move the classroom notice requirement pertaining to complaints about health and safety in California State Preschool Programs to AR/E 1312.3 - Uniform Complaint Procedures consistent with CDE's Federal Program Monitoring instrument. Board Policy 5145.6 is being submitted with recommended language from CSBA.

ALTERNATIVES:

1. Approve amendment to Board Policy and Exhibit 5145.6 Parental Notifications.
2. Do not approve amendment to Board Policy and Exhibit 5145.6 Parental Notifications.

RECOMMENDATION: Approval of Alternative #1.

Respectfully submitted,

Anthony W. Knight, Ed.D.
Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

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Parental Notifications

The Governing Board desires to promote effective communication between the school and the home and to keep parents/guardians informed regarding educational programs, school operations, and the legal rights of students and their parents/guardians. The Superintendent or designee shall send parents/guardians ~~and students~~ all notifications required by law and any other notifications ~~he/she~~ the Superintendent or designee believes will promote parental understanding and involvement.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 6020 - Parent Involvement)

Notice of the rights and responsibilities of parents/guardians as specified in Education Code 48980 shall be sent at the beginning of each academic year and may be provided by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used by the district for written communication with parents/guardians. (Education Code 48981)

No activity specified in Education Code 48980 shall be undertaken with respect to any particular student unless ~~his/her~~ the student's parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

Whenever a student enrolls in a district school during the school year, ~~his/her~~ the student's parents/guardians shall be given all required parental notifications at that time.

Notifications shall be presented in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians can understand.

Whenever 15 percent or more of the students enrolled in a district school speak a single primary language other than English, as determined from the California Department of Education census data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (Education Code 48981, 48985)

Whenever an employee learns that a student's parent/guardian is unable to understand the

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district's printed notifications for any reason, ~~he/she~~the employee shall inform the principal or designee, who shall work with the parent/guardian to establish other appropriate means of communication.

Legal Reference:

EDUCATION CODE

221.5 Prohibited sex discrimination
231.5 Sexual harassment policy
234.7 Student protections relating to immigration and citizenship status
262.3 Appeals for discrimination complaints; information regarding availability of civil remedies
310 Language acquisition programs
313 Reclassification of English learners, parental consultation
313.2 Long-term English learner, notification
440 English language proficiency assessment; instruction in English language development
8483 Before/after school program; enrollment priorities
17288 Building standards for university campuses
17611.5-17612 Notification of pesticide use
32221.5 Insurance for athletic team members
32255-32255.6 Right to refuse harmful or destructive use of animals
32390 Fingerprint program; contracts; funding; consent of parent/guardian
33479.3 The Eric Paredes Sudden Cardiac Arrest Prevention Act
35160.5 Extracurricular and cocurricular activities
35178.4 Notice of accreditation status
35182.5 Advertising in the classroom
35183 School dress codes; uniforms
35186 Complaints concerning deficiencies in instructional materials and facilities
35211 Driver training; district insurance, parent/guardian liability
35256 School Accountability Report Card
35258 School Accountability Report Card
35291 Rules for student discipline
37616 Consultation regarding year-round schedule
39831.5 School bus rider rules and information
44050 Employee codes of conduct, employee interactions with students
44808.5 Permission to leave school grounds
46010.1 Notice regarding excuse to obtain confidential medical services
46014 Regulations regarding absences for religious purposes
46600-46611 Interdistrict attendance agreements
48000 Minimum age of admission
48070.5 Promotion or retention of students
48204 Residency requirements
48205 Absence for personal reasons
48206.3 Students with temporary disabilities; individual instruction; definitions
48207-48208 Students with temporary disabilities in hospitals
48213 Prior notice of exclusion from attendance
48216 Immunization
48260.5 Notice regarding truancy
48262 Need for parent conference regarding truancy
48263 Referral to school attendance review board or probation department
48301 Interdistrict transfers
~~48350-48361 Open Enrollment Act~~

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~~48354 Option to transfer from school identified under Open Enrollment Act~~
~~48357 Status of application for transfer from school identified under Open Enrollment Act~~
48412 Certificate of proficiency
48432.3 Voluntary enrollment in continuation education
48432.5 Involuntary transfers of students
48850-48859 Education of foster youth and homeless students
48900.1 Parental attendance required after suspension
48904 Liability of parent/guardian for willful student misconduct
48904.3 Withholding grades, diplomas, or transcripts
48906 Notification of release of student to peace officer
48911 Notification in case of suspension
48911.1 Assignment to supervised suspension classroom
48912 Closed sessions; consideration of suspension
48915.1 Expelled students; enrollment in another district
48916 Readmission procedures
48918 Rules governing expulsion procedures
48929 Transfer of student convicted of violent felony or misdemeanor
48980 Required notification at beginning of term
48980.3 Notification of pesticide use
48981 Time and means of notification
48982 Parent signature acknowledging receipt of notice
48983 Contents of notice
48984 Activities prohibited unless notice given
48985 Notices to parents in language other than English
48987 Child abuse information
49013 Use of uniform complaint procedures for complaints regarding student fees
49063 Notification of parental rights
49067 Student evaluation; student in danger of failing course
49068 Transfer of permanent enrollment and scholarship record
49069 Absolute right to access
49070 Challenging content of student record
49073 Release of directory information
49073.6 Student records, social media
49076 Access to student records
49077 Access to information concerning a student in compliance with court order
49403 Cooperation in control of communicable disease and immunization
49423 Administration of prescribed medication for student
49451 Physical examinations: parent's refusal to consent
49452.5 Screening for scoliosis
49452.7 Information on type 2 diabetes
49452.8 Oral health assessment
49456 Results of vision or hearing test
49471-49472 Insurance
49475 Student athletes; concussions and head injuries
49476 Student athletes; opioid fact sheet
49480 Continuing medication regimen for nonepisodic conditions
49510-49520 Duffy-Moscone Family Nutrition Education and Services Act of 1970
49557.5 Child Hunger Prevention and Fair Treatment Act of 2017; notice of negative balance in meal account
51225.1 Exemption from district graduation requirements

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51225.2 Course credits; ~~foster youth, homeless youth, former juvenile court school students and military-connected students~~

51225.3 Graduation requirements; courses that satisfy college entrance criteria

51229 Course of study for grades 7-12

51513 Personal beliefs; privacy

51938 HIV/AIDS and sexual health instruction

52164 Language census

52164.1 Census-taking methods; determination of primary language; assessment of language skills

52164.3 Reassessment of English learners; notification of results

54444.2 Migrant education programs; parent involvement

56301 Child-find system; policies regarding written notification rights

56321 Special education: proposed assessment plan

56321.5-56321.6 Notice of parent rights pertaining to special education

56329 Written notice of right to findings; independent assessment

56341.1 Development of individualized education program; right to audio record meeting

56341.5 Individualized education program team meetings

56343.5 Individualized education program meetings

56521.1 Behavioral intervention

58501 Alternative schools; notice required prior to establishment

60615 Exemption from state assessment

60641 California Assessment of Student Performance and Progress

69432.9 Submission of grade point average to Cal Grant program

CIVIL CODE

1798.29 District records, breach of security

HEALTH AND SAFETY CODE

1596.857 Right to enter child care facility

1597.16 Licensed child care centers, lead testing

104420 Tobacco use prevention

104855 Availability of topical fluoride treatment

116277 Lead testing of school drinking water

120365-120375 Immunizations

120440 Sharing immunization information

124100-124105 Health screening and immunizations

PENAL CODE

626.81 Notice of permission granted to sex offender to volunteer on campus

627.5 Hearing request following denial or revocation of registration

CODE OF REGULATIONS, TITLE 5

852 Exemptions from state assessments

863 Reports of state assessment results

3052 Behavioral intervention

4622 Notification of uniform complaint procedures

4631 Uniform complaint procedures; notification of decision and right to appeal

~~4702 Student transfer from school identified under Open Enrollment Act~~

4917 Notification of sexual harassment policy

11303 Reclassification of English learners

11511.5 English language proficiency assessment; test results

11523 Notice of proficiency examinations

18066 Child care policies regarding excused and unexcused absences

18094-18095 Notice of Action; child care services

18114 Notice of delinquent fees; child care services

18118-18119 Notice of Action; child care services

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5145.6(e)

CODE OF REGULATIONS, TITLE 17

2951 Hearing tests

6040 Time period to obtain needed immunizations

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act

1232h Privacy rights

1415 Procedural safeguards

6311 State plan

6312 Local educational agency plans

6318 Parent and family engagement

7704 *Impact Aid; policies and procedures related to children residing on Indian lands*

7908 Armed forces recruiter access to students

UNITED STATES CODE, TITLE 42

1758 Child nutrition programs

11431-11435 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 7

245.5 Eligibility criteria for free and reduced-price meals

245.6a Verification of eligibility for free and reduced-price meals

CODE OF FEDERAL REGULATIONS, TITLE 34

99.7 Student records, annual notification

99.30 Disclosure of personally identifiable information

99.34 Student records, disclosure to other educational agencies

99.37 Disclosure of directory information

104.32 District responsibility to provide free appropriate public education

104.36 Procedural safeguards

104.8 Nondiscrimination

106.8 *Notification of contact information for Title IX coordinator*

106.9 Dissemination of policy, nondiscrimination on basis of sex

200.48~~Teacher~~48 Teacher qualifications

222.94 *Impact Aid; district responsibilities*

300.300 Parent consent for special education evaluation

300.322 Parent participation in IEP team meetings

300.502 Independent educational evaluation of student with disability

300.503 Prior written notice regarding identification, evaluation, or placement of student with disability

300.504 Procedural safeguards notice for students with disabilities

300.508 Due process complaint

300.530 Discipline procedures

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

Management Resources:

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017

Civil Rights Compliance and Enforcement -- Nutrition Programs and Services, FNS Instruction 113-1, 2005

WEB SITES

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov>

Adopted: 8-18-92

Amended: 3-05, 3-06, 3-07, 2-19-13, 5-17-18, 10-28-20

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(a)

Parental Notifications

Cautionary Notice: Government Code 17581.5 releases districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2020 (SB 74, Ch. 6, Statutes of 2020) extends the suspension of these requirements through the 2020-21 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

I. Annually

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 222.5
Board Policy/Administrative Regulation #: See BP 5146
Subject: Rights and options for pregnant and parenting students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 234.7
Board Policy/Administrative Regulation #: See BP 0410
Subject: Right to a free public year 234.7 education regardless of immigration status or religious beliefs

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 310
Board Policy/Administrative Regulation #: See BP 6142.2, See AR 6174
Subject: Information on the district's language acquisition program

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 17611.5, 17612, 48980.3
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Use of pesticide product, active ingredients, Internet address to access information, and, if district uses certain pesticides, integrated pest management plan

When to Notify: Annually by February 1
Education or Other Legal Code: Education Code 35256, 35258
Board Policy/Administrative Regulation #: See BP 0510
Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 35291, 48980
Board Policy/Administrative Regulation #: See AR 5144, See AR 5144.1
Subject: District and site discipline rules

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(b)

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 44050
Board Policy/Administrative Regulation #: See BP 4119.21, See BP 4219.21, See BP 4319.21
Subject: Code of conduct addressing employee interactions with students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 46010.1
Board Policy/Administrative Regulation #: See AR 5113
Subject: Absence for confidential medical services

When to Notify: Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school
Education or Other Legal Code: Education Code 48929, 48980
Board Policy/Administrative Regulation #: See BP 5116.2
Subject: District policy authorizing transfer

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: Schedule of minimum days and student-free staff development days

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 231.5; 5 CCR 4917; [34 CFR 106.8](#)
Board Policy/Administrative Regulation #: See AR 5145.7
Subject: Copy of sexual harassment policy as related to students; [contact information for Title IX coordinator](#)

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 32255-32255.6
Board Policy/Administrative Regulation #: See AR 5145.8
Subject: Right to refrain from harmful or destructive use of animals

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 35160.5, 46600-46611, 48204, 48301, ~~48350-48361~~
Board Policy/Administrative Regulation #: See BP 5111.1, See AR 5116.1, See AR 5117
Subject: All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process

When to Notify: Beginning of each school year, if Board allows such absence
Education or Other Legal Code: Education Code 48980, 46014
Board Policy/Administrative Regulation #: See AR 5113
Subject: Absence for religious exercise or purposes

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(c)

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 48205
Board Policy/Administrative Regulation #: See AR 5113, See BP 6154
Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 48206.3, 48207, 48208
Board Policy/Administrative Regulation #: See AR 6183
Subject: Availability of home/hospital instruction for students with temporary disabilities

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49403
Board Policy/Administrative Regulation #: See BP 5141.31
Subject: School immunization program

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49423, 49480
Board Policy/Administrative Regulation #: See AR 5141.21
Subject: Administration of prescribed medication

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49451; 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Right to refuse consent to physical examination

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49471, 49472
Board Policy/Administrative Regulation #: See BP 5143
Subject: Availability of insurance

When to Notify: Annually
Education or Other Legal Code: 49013; 5 CCR 4622
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Uniform complaint procedures, available appeals, civil law remedies

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3
Subject: Challenge, review and expunging of records

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(d)

Board Policy/Administrative Regulation #: See AR 5125

Subject: Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37

Board Policy/Administrative Regulation #: See AR 5125.1

Subject: Release of directory information

When to Notify: ~~On or around July 1; beginning~~ Beginning of each school year;

Education or Other Legal Code: Education Code 49428

Board Policy/Administrative Regulation #: See None

Subject: How to ~~be included~~ access mental health services at school and/or in ~~registration-materials~~ community

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5

Board Policy/Administrative Regulation #: ~~BP 3553; See AR 3553; BP 3551; AR 3551; E 3551~~

Subject: ~~Letter to Household~~ Eligibility and application process for ~~Free and Reduced-Price Meals; Application for Free~~ free and ~~Reduced-Price Meals; Medical Statement to Request Special Meals- And/Or Accommodations; Non-Medical Request for Special Meals; Meal Charge Policy (E-3551)~~ reduced price meals

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 51513, 20 USC 1232h

Board Policy/Administrative Regulation #: See AR 5022, See BP 6162.8

Subject: Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 56301

Board Policy/Administrative Regulation #: See BP 6164.4

Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 58501, 48980

Board Policy/Administrative Regulation #: See AR 6181

Subject: Alternative schools

OAK PARK UNIFIED SCHOOL DISTRICT

EXHIBIT

Series 5000

Students

E 5145.6(e)

When to Notify: Beginning of each school year
Education or Other Legal Code: Health and Safety Code 104855
Board Policy/Administrative Regulation #: See AR 5141.6
Subject: Availability of dental fluoride treatment; opportunity to accept or deny treatment

When/Whom to Notify: Annually
Education or Other Legal Code: 5 CCR 852; Education Code 60615
Board Policy/Administrative Regulation #: See AR 6162.51
Subject: Student's participation in state assessments; option to request exemption from testing

When to Notify: Beginning of each school year, if district receives Title I funds
Education or Other Legal Code: 20 USC 6312; 34 CFR 200.48
Board Policy/Administrative Regulation #: See BP 4112.2, See AR 4222
Subject: Right to request information re: professional qualifications of child's teacher and paraprofessional

When to Notify: Beginning of each school year
Education or Other Legal Code: 34 CFR 104.8, 106.9
Board Policy/Administrative Regulation #: See BP 0410, See BP 6178
Subject: Nondiscrimination

When to Notify: Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals
Education or Other Legal Code: 40 CFR 763.84, 40 CFR 763.93
Board Policy/Administrative Regulation #: See AR 3514
Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

When to Notify: Beginning of each school year
Education or Other Legal Code: USDA SP-23-2017
Board Policy/Administrative Regulation #: See ~~BP/AR/E~~ 3551
~~Subject: Email, phone, and/or print notification of current negative cafeteria fund balance with information on payment options; reference to adopted local policies.~~
Subject: District policy on meal payments

II. At Specific Times During the Student's Academic Career

When to Notify: Beginning in grade 7, at least once prior to course selection and career counseling
Education or Other Legal Code: Education Code 221.5; 48980
Board Policy/Administrative Regulation #: See BP 6164.2
Subject: Course selection and career counseling

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(f)

When to Notify: Upon a student's enrollment
Education or Other Legal Code: Education Code 310
Board Policy/Administrative Regulation #: See BP 6142.2, See AR 6174
Subject: Information on the district's language acquisition programs

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program
Education or Other Legal Code: Education Code 32390, 48980
Board Policy/Administrative Regulation #: See AR 5142.1
Subject: Fingerprinting program

When/Whom to Notify: When participating in driver training courses under the jurisdiction of the district
Education or Other Legal Code: Education Code 35211
Board Policy/Administrative Regulation #: None
Subject: Civil liability, insurance coverage

When to Notify: Upon registration in K-6, if students have not previously been transported
Education or Other Legal Code: Education Code 39831.5
Board Policy/Administrative Regulation #: See AR 3543
Subject: School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

When to Notify: Beginning of each school year for high school students, if high school is open campus
Education or Other Legal Code: Education Code 44808.5, 48980
Board Policy/Administrative Regulation #: See ~~AR~~BP 5112.5
Subject: Open campus

When to Notify: Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement
Education or Other Legal Code: Education Code 48980, 51225.3
Board Policy/Administrative Regulation #: See AR 6146.1
Subject: How each school graduation requirement does or does not satisfy college entrance a-g course criteria; districts CTE courses that satisfy a-g course criteria

When to Notify: Upon a student's enrollment
Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3
Subject: Specified rights related to student records

When to Notify: When students enter grade 7
Education or Other Legal Code: Education Code 49452.7

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(g)

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Specified information on type 2 diabetes

When to Notify: When in kindergarten, or first grade if not previously enrolled in public school

Education or Other Legal Code: Education Code 49452.8

Board Policy/Administrative Regulation #: See AR 5141.32

Subject: Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights

When to Notify: Beginning of each school year for students in grades 9-12

Education or Other Legal Code: Education Code 51229, 48980

Board Policy/Administrative Regulation #: See AR 6143

Subject: College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors

When to Notify: Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year

Education or Other Legal Code: Education Code 51938, 48980

Board Policy/Administrative Regulation #: See AR 6142.1

Subject: Sexual health and HIV prevention education; right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse

When to Notify: Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year

Education or Other Legal Code: Education Code 60641; 5 CCR 863

Board Policy/Administrative Regulation #: See AR 6162.51

Subject: Results of tests; test purpose, individual score and intended use

When/Whom to Notify: By October 15 for students in grade 12

Education or Other Legal Code: Education Code 69432.9

Board Policy/Administrative Regulation #: See AR 5121, See AR 5125

Subject: Forwarding of student's grade point average to Cal Grant program; timeline to opt out

When to Notify: [When child is enrolled or reenrolled in a licensed child care center or preschool](#)

Education or Other Legal Code: [Health and Safety Code 1596.7996](#)

Board Policy/Administrative Regulation #: [See AR 5148](#)

Subject: [Information on risks and effects of lead exposure, blood lead testing](#)

When to Notify: When child is enrolled in kindergarten

Education or Other Legal Code: Health and Safety Code 124100, 124105

Board Policy/Administrative Regulation #: See AR 5141.32

Subject: Health screening examination

OAK PARK UNIFIED SCHOOL DISTRICT

EXHIBIT

Series 5000

Students

E 5145.6(g)

When to Notify: To students in grades 11-12, early enough to enable registration for fall test
Education or Other Legal Code: 5 CCR 11523
Board Policy/Administrative Regulation #: See AR 6146.2
Subject: Notice of proficiency examination provided under Education Code 48412

When to Notify: To secondary students, if district receives Title I funds
Education or Other Legal Code: 20 USC 7908
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Request that district not release **student's** name, address, **and** phone number **of child** to military recruiters without prior written consent

III. When Special Circumstances Occur

When to Notify: In the event of a breach of security of district records, security of district records,
Education or Other Legal Code: Civil Code 1798.29
Board Policy/Administrative Regulation #: See BP 3580
Subject: Types of records affected, date of breach, description of incident, contact information for credit reporting agencies

When to Notify: Upon receipt of a complaint alleging discrimination
Education or Other Legal Code: Education Code 262.3
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Civil law remedies available to complainants

When to Notify: When determining whether an English learner should be reclassified as fluent English proficient
Education or Other Legal Code: Education Code 313; 5 CCR 11303
Board Policy/Administrative Regulation #: See AR 6174
Subject: Description of reclassification process, opportunity for parent/guardian to participate

When to Notify: When Student is identified as English learner and district receives Titles I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year
Education or Other Legal Code: Education Code 313.2, 440; 20 USC 6312
Board Policy/Administrative Regulation #: See AR 6174
Subject: Reason for classification, level of English proficiency, identification as long-term English learner, description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program

When to Notify: When homeless or foster youth applies for enrollment in before/after school program
Education or Other Legal Code: Education Code 8483

OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT

Series 5000

Students

E 5145.6(h)

Board Policy/Administrative Regulation #: See AR 5178.2
Subject: Right to priority enrollment how to request priority enrollment

When to Notify: Before high school student attends specialized secondary program on a university campus

Education or Other Legal Code: Education Code 17288

Board Policy/Administrative Regulation #: None

Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: At least 72 hours before use of pesticide product not included in annual list

Education or Other Legal Code: Education Code 17612

Board Policy/Administrative Regulation #: See AR 3514.2

Subject: Intended use of pesticide product

When to Notify: To members of athletic teams

Education or Other Legal Code: Education Code 32221.5

Board Policy/Administrative Regulation #: See AR 5143

Subject: Offer of insurance; no-cost and low-cost program options

When to Notify: Annually to parents/guardians of student athletes before participation in competition

Education or Other Legal Code: Education Code 33479.3

Board Policy/Administrative Regulation #: See AR 6145.2

Subject: Information on sudden cardiac arrest

When to Notify: If school has lost its WASC accreditation status

Education or Other Legal Code: Education Code 35178.4

Board Policy/Administrative Regulation #: See BP 6190

Subject: Loss of status, potential consequences

When/Whom to Notify: When district has contracted for electronic products or services that disseminate advertising

Education or Other Legal Code: Education Code 35182.5

Board Policy/Administrative Regulation #: BP 3312

Subject: Advertising will be used in the classroom or learning center

When to Notify: At least six months before implementing a schoolwide uniform policy

Education or Other Legal Code: Education Code 35183

Board Policy/Administrative Regulation #: See AR 5132

Subject: Dress code policy requiring schoolwide uniform

OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT

Series 5000

Students

E 5145.6(i)

When to Notify: Before implementing a year-round schedule
Education or Other Legal Code: Education Code 37616
Board Policy/Administrative Regulation #: See BP 6117
Subject: Public hearing on year-round schedule

When to Notify: When interdistrict transfer is requested and not approved or denied within 30 days
Education or Other Legal Code: Education Code 46601
Board Policy/Administrative Regulation #: See AR 5117
Subject: Appeal process

When to Notify: Before early entry to kindergarten, if offered
Education or Other Legal Code: Education Code 48000
Board Policy/Administrative Regulation #: See AR 5111
Subject: Effects, advantages and disadvantages of early entry

When to Notify: When student identified as being at risk of retention
Education or Other Legal Code: Education Code 48070.5
Board Policy/Administrative Regulation #: See AR 5123
Subject: Student at risk of retention

When to Notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health
Education or Other Legal Code: Education Code 48213
Board Policy/Administrative Regulation #: See AR 5112.2, ~~See BP 5141.33~~
Subject: Student has been excluded from school

When to Notify: Before already admitted student is excluded for lack of immunization
Education or Other Legal Code: Education Code 48216; 17 CCR 6040
Board Policy/Administrative Regulation #: See AR 5141.31
Subject: Need to submit evidence of immunization or exemption within 10 school days; referral to medical care

When to Notify: When a student is classified as truant
Education or Other Legal Code: Education Code 48260.5, 48262
Board Policy/Administrative Regulation #: See AR 5113.1
Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

When to Notify: When a truant is referred to a SARB or probation department
Education or Other Legal Code: Education Code 48263
Board Policy/Administrative Regulation #: See AR 5113.1
Subject: Name and address of SARB or probation department and reason for referral

OAK PARK UNIFIED SCHOOL DISTRICT

EXHIBIT

Series 5000

Students

E 5145.6(j)

~~When to Notify: When a school is identified on the state's Open Enrollment List
Education or Other Legal Code: Education Code 48354; 5 CCR 4702
Board Policy/Administrative Regulation #: See AR 5118
Subject: Student's option to transfer to another school~~

~~When to Notify: Within 60 days of receiving application for transfer out of open enrollment school
Education or Other Legal Code: Education Code 48357; 5 CCR 4702
Board Policy/Administrative Regulation #: See AR 5118
Subject: Whether student's transfer application is accepted or rejected; reasons for rejection~~

When/Whom to Notify: When student requests to voluntarily transfer to continuation school
Education or Other Legal Code: Education Code 48432.3
Board Policy/Administrative Regulation #: See AR 6184
Subject: Copy of district policy and regulation on continuation education

When to Notify: Prior to involuntary transfer to continuation school
Education or Other Legal Code: Education Code 48432.5
Board Policy/Administrative Regulation #: See AR 6184
Subject: Right to require meeting prior to involuntary transfer to continuation school

When/Whom to Notify: To person holding educational rights, prior to recommending placement of foster youth outside school of origin
Education or Other Legal Code: Education Code 48853.5
Board Policy/Administrative Regulation #: See AR 6173.1
Subject: Basis for the placement recommendation

When to Notify: When student is removed from class and teacher requires parental attendance at school
Education or Other Legal Code: Education Code 48900.1
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Parental attendance required; timeline for attendance

When to Notify: Prior to withholding grades, diplomas, or transcripts
Education or Other Legal Code: Education Code 48904
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Damaged school property

When to Notify: When withholding grades, diplomas or transcripts from transferring student
Education or Other Legal Code: Education Code 48904.3
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Next school will continue withholding grades, diplomas or transcripts

OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT

Series 5000

Students

E 5145.6(k)

When to Notify: When student is released to peace officer
Education or Other Legal Code: Education Code 48906
Board Policy/Administrative Regulation #: See BP 5145.11
Subject: Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse

When to Notify: At time of suspension
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See BP 5144.1, See AR 5144.1
Subject: Notice of suspension

When to Notify: When original period of suspension is extended
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Extension of suspension

When to Notify: At the time a student is assigned to a supervised suspension classroom
Education or Other Legal Code: Education Code 48911.1
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: The student's assignment to a supervised suspension classroom

When to Notify: Before holding a closed session re: suspension
Education or Other Legal Code: Education Code 48912
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Intent to hold a closed session re: suspension

When to Notify: When student expelled from another district for certain acts seeks admission
Education or Other Legal Code: Education Code 48915.1, 48918
Board Policy/Administrative Regulation #: See BP 5119
Subject: Hearing re: possible danger presented by expelled student

When to Notify: When readmission is denied
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Reasons for denial; determination of assigned program

When to Notify: When expulsion occurs
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Readmission procedures

When to Notify: At least 10 calendar days before expulsion hearing
Education or Other Legal Code: Education Code 48918

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(l)

Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Notice of expulsion hearing

When to Notify: When expulsion or suspension of expulsion occurs
Education or Other Legal Code: Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status

When to Notify: Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school
Education or Other Legal Code: Education Code 48929, 48980
Board Policy/Administrative Regulation #: See BP 5116.2
Subject: Right to request a meeting with principal or designee

When to Notify: One month before the scheduled minimum day
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: When minimum days are scheduled after the beginning of the school year

When to Notify: When parents/guardians request guidelines for filing complaint of child abuse at a school site
Education or Other Legal Code: Education Code 48987
Board Policy/Administrative Regulation #: See AR 5141.4
Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course
Education or Other Legal Code: Education Code 49067
Board Policy/Administrative Regulation #: See AR 5121
Subject: Student in danger of failing a course

When to Notify: When student transfers from another district or private school
Education or Other Legal Code: Education Code 49068
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to receive copy of student's record and to challenge its content

When/Whom to Notify: When parent/guardian's challenge of student record is denied and parent/guardian appeals
Education or Other Legal Code: Education Code 49070
Board Policy/Administrative Regulation #: See AR 5125.3
Subject: If board sustains allegations, the correction of destruction of record; if denied, right to submit written objection

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(m)

When/Whom to Notify: When district is considering program to gather safety-related information from students' social media activity

Education or Other Legal Code: Education Code 49073.6

Board Policy/Administrative Regulation #: See BP 5125

Subject: Opportunity for input on proposed program

When/Whom to Notify: When district adopts program to gather information from students' social media activity, and annually thereafter

Education or Other Legal Code: Education Code 49073.6

Board Policy/Administrative Regulation #: AR 5125

Subject: Information is being gathered, access to records, process for removal or corrections, destruction of records

When to Notify: Within 24 hours of release of information to a judge or probation officer

Education or Other Legal Code: Education Code 49076

Board Policy/Administrative Regulation #: See AR 5125

Subject: Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena

Education or Other Legal Code: Education Code 49077

Board Policy/Administrative Regulation #: See AR 5125

Subject: Release of information pursuant to court order or subpoena

When to Notify: When screening results in suspicion that student has scoliosis

Education or Other Legal Code: Education Code 49452.5

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Scoliosis screening

When to Notify: When test results in discovery of visual or hearing defects

Education or Other Legal Code: Education Code 49456; 17 CCR 2951

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Vision or hearing test results

When to Notify: Within 10 days of negative balance in meal account

Education or Other Legal Code: Education Code 49557.5

Board Policy/Administrative Regulation #: See AR 3551

Subject: Negative balance in meal account; encouragement to apply for free or reduced price meals

When to Notify: Annually to parents/guardians of student athletes ~~before their first practice or competition~~

OAK PARK UNIFIED SCHOOL DISTRICT
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Series 5000

Students

E 5145.6(n)

Education or Other Legal Code: Education Code 49475
Board Policy/Administrative Regulation #: See AR 6145.2
Subject: Information on concussions and head injuries

When to Notify: Annually to parents/guardians of student athletes before their first practice or competition

Education or Other Legal Code: Education Code 49476
Board Policy/Administrative Regulation #: See AR 6145.2
Subject: Opioid fact sheet

When/Whom to Notify: Within 30 days of foster youth, homeless youth, former juvenile court school student, ~~or~~ child of military family, or migrant student being transferred ~~between~~ after second year of high ~~schools~~ school, or immigrant student enrolled in newcomer program in grades 11-12
Education or Other Legal Code: Educational Code 51225.1
Board Policy/Administrative Regulation #: See BP 6146.1, See AR 6173, See AR 6173.1, AR 6173.3, See AR 6175
Subject: Exemption from local graduation requirements, effect on college admission, option for fifth year of high school

When to Notify: Before any test/survey questioning personal beliefs
Education or Other Legal Code: Education Code 51513
Board Policy/Administrative Regulation #: See AR 5022
Subject: Permission for test, survey questioning personal beliefs

When to Notify: At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 6142.1
Subject: Instruction in HIV prevention or sexual health by guest speaker or outside consultant

When to Notify: Prior to administering survey regarding health risks and behaviors to students in 7-12
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 5022
Subject: Notice that the survey will be administered

When to Notify: Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency
Education or Other Legal Code: Education Code 52164.1, 52164.3; 5 CCR 11511.5
Board Policy/Administrative Regulation #: See AR 6174
Subject: Results of state test of English proficiency

**OAK PARK UNIFIED SCHOOL DISTRICT
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Series 5000

Students

E 5145.6(o)

When to Notify: When migrant education program is established
Education or Other Legal Code: Education Code 54444.2
Board Policy/Administrative Regulation #: See BP 6175, See AR 6175
Subject: Parent advisory council membership composition

When to Notify: When child participates in licensed child care and development program
Education or Other Legal Code: Health and Safety Code 1596.857
Board Policy/Administrative Regulation #: See AR 5148
Subject: Parent/guardian right to enter facility

When to Notify: When a licensed child care center has a building constructed before January 1, 2010 and has drinking water tested for lead
Education or Other Legal Code: Health and Safety Code 1597.16
Board Policy/Administrative Regulation #: See AR 5148
Subject: The requirement to test the facility, and the results of the test

When/Whom to Notify: When district receives Tobacco-Use Prevention Education Funds
Education or Other Legal Code: Health and Safety Code 104420
Board Policy/Administrative Regulation #: See AR 3513.3
Subject: The district's tobacco-free schools policy and enforcement procedures

When to Notify: When testing by community water system finds presence of lead exceeding specified level
Education or Other Legal Code: Health and Safety Code 116277
Board Policy/Administrative Regulation #: See AR 3514
Subject: Elevated lead level at school

When to Notify: When sharing student immunization information with an immunization system
Education or Other Legal Code: Health and Safety Code 120440
Board Policy/Administrative Regulation #: See AR 5125
Subject: Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share

When/Whom to Notify: At least 14 days prior to sex offender coming on campus as volunteer
Education or Other Legal Code: Penal Code 626.81
Board Policy/Administrative Regulation #: See AR 1240, See BP 1250
Subject: Dates and times permission granted; obtaining information from law enforcement

When to Notify: When hearing is requested by person asked to leave school premises
Education or Other Legal Code: Penal Code 627.5
Board Policy/Administrative Regulation #: See AR 3515.2
Subject: Notice of hearing

OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT

Series 5000

Students

E 5145.6(p)

When/Whom to Notify: When responding to complaint re: discrimination, special education, or noncompliance with law

Education or Other Legal Code: 5 CCR 4631

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Findings, disposition of complaint, any corrective actions, appeal rights and procedures

When to Notify: When child participates in licensed child care and development program

Education or Other Legal Code: 5 CCR 18066

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies ~~re:~~regarding excused and unexcused absences

When to Notify: Within 30 days of application for subsidized child care or preschool services

Education or Other Legal Code: 5 CCR 18094, 18118

Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3

Subject: Policies re: Approval or denial of services

When to Notify: Upon recertification or update of application for child care or preschool services

Education or Other Legal Code: 5 CCR 18095, 18119

Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3

Subject: Policies re: Any change in service, such as in fees, amount of service, termination of service

When to Notify: Upon child's enrollment in child care program

Education or Other Legal Code: 5 CCR 18114

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies re: Policy on fee collection

When to Notify: When payment of child care fees is seven days late

Education or Other Legal Code: 5 CCR 18114

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies re: Notice of delinquent fees

When to Notify: When district substantively changes policy on student privacy rights

Education or Other Legal Code: 20 USC 1232h

Board Policy/Administrative Regulation #: See AR 5022

Subject: Notice of any substantive change in policy or regulation

When to Notify: For districts receiving Title I funds, when a child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught

Education or Other Legal Code: 20 USC 6312

Board Policy/Administrative Regulation #: See AR 4112.24

Subject: Timely notice to parent/guardian of child's assignment

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(q)

When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners

Education or Other Legal Code: 20 USC 6312

Board Policy/Administrative Regulation #: See AR 6174

Subject: Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program

When to Notify: For schools receiving Title I funds, upon development of parent involvement policy

Education or Other Legal Code: 20 USC 6318

Board Policy/Administrative Regulation #: See AR 6020

Subject: Notice of policy

When to Notify: When district receives Impact Aid funds for students residing on Indian lands, to parents/guardians of Indian children

Education or Other Legal Code: 20 USC 7704; 34 CFR 222.94

Board Policy/Administrative Regulation #: See AR 3231

Subject: Relevant applications, evaluations, program plans, information about district's general educational program; opportunity to submit comments

When to Notify: When household is selected for verification of eligibility for free or reduced-price meals

Education or Other Legal Code: 42 USC 1758; 7 CFR 245.6a

Board Policy/Administrative Regulation #: See AR 3553

Subject: Need to submit verification information; any subsequent change in benefits; appeals

When/Whom to Notify: When student is homeless or unaccompanied minor

Education or Other Legal Code: 42 USC 11432; Education Code 48852.5

Board Policy/Administrative Regulation #: See AR 6173

Subject: Educational and related opportunities; transportation services; placement decision and right to appeal

When to Notify: When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30

Education or Other Legal Code: 34 CFR 99.34

Board Policy/Administrative Regulation #: See AR 5125

Subject: Right to review records

When to Notify: When student complains of sexual harassment

Education or Other Legal Code: 34 CFR 106.44, 106.45

Board Policy/Administrative Regulation #: See AR 5145.7

Subject: Right to file formal complaint, availability of supportive measures, notice of process,

**OAK PARK UNIFIED SCHOOL DISTRICT
EXHIBIT**

Series 5000

Students

E 5145.6(r)

[reason for dismissal of complaint if applicable](#)

When to Notify: When district receives federal funding assistance for nutrition program
Education or Other Legal Code: USDA FNS Instruction 113-1
Board Policy/Administrative Regulation #: See BP 3555
Subject: Rights and responsibilities, nondiscrimination policy, complaint procedures

IV. Special Education Notices

When to Notify: Prior to conducting initial evaluation
Education or Other Legal Code: Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415 (d); 34 CFR 300.502, 300.503
Board Policy/Administrative Regulation #: See BP 6159.1, See AR 6159.1, See AR 6164.4
Subject: Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

When/Whom to Notify: Before functional behavioral assessment begins
Education or Other Legal Code: Education Code 56321
Board Policy/Administrative Regulation #: See AR 6159
Subject: Notification and consent

When to Notify: 24 hours before IEP when district intending to record
Education or Other Legal Code: Education Code 56341.1
Board Policy/Administrative Regulation #: See AR 6159
Subject: Intention to audio-record IEP meeting

When to Notify: Early enough to ensure opportunity for parent to attend IEP meeting
Education or Other Legal Code: Education Code 56341.5; 34 CFR 300.322
Board Policy/Administrative Regulation #: See AR 6159
Subject: Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if appropriate

When to Notify: When parent/guardian orally requests review of IEP
Education or Other Legal Code: Education Code 56343.5
Board Policy/Administrative Regulation #: See AR 6159
Subject: Need for written request

When to Notify: Within one school day of emergency intervention or serious property damage
Education or Other Legal Code: Education Code 56521.1
Board Policy/Administrative Regulation #: See AR 6159.4
Subject: Emergency intervention

When to Notify: Whenever there is a proposal or refusal to initiate or change the identification,

OAK PARK UNIFIED SCHOOL DISTRICT

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Students

E 5145.6(s)

evaluation, placement, or FAPE, including when parent/guardian revokes consent for services
Education or Other Legal Code: 20 USC 1415(c); 34 CFR 300.300, 300.503
Board Policy/Administrative Regulation #: See AR 6159, See AR 6159.1
Subject: Prior written notice

When/Whom to Notify: Upon filing of state complaint
Education or Other Legal Code: 20 USC 1415(d), 34 CFR 300.504
Board Policy/Administrative Regulation #: See AR 6159.1
Subject: Procedural safeguards notice

When/Whom to Notify: When disciplinary measures are taken, or change in placement
Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.530
Board Policy/Administrative Regulation #: See AR 5144.2
Subject: Decision and procedural safeguards notice

When to Notify: Upon requesting a due process hearing
Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.508
Board Policy/Administrative Regulation #: See AR 6159.1
Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504
Education or Other Legal Code: 34 CFR 104.32, 104.36
Board Policy/Administrative Regulation #: See AR 6164.6
Subject: District responsibilities, district actions, procedural safeguards

V. Classroom Notices

When to Notify: In each classroom in each school
Education or Other Legal Code: Education Code 35186
Board Policy/Administrative Regulation #: See AR/E 1312.4
Subject: [Complaints subject to Williams uniform complaint procedures](#)
~~Subject: Complaints re: sufficiency of instructional materials, teacher vacancy and misassignment, maintenance of facilities, right of students who did not pass the exit exam to receive intensive instruction after grade 12~~

Adopted: 9-17-02

Amended: 3-05, 3-06, 3-07, 3-08, 3-10, 3-11, 3-12, 4-13, 4-14, 4-15, 5-16, 5-17-18, [10-28-20](#)

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.4.d. ANNUAL REVIEW OF BOARD POLICY AND ADMINISTRATIVE REGULATION 5116.1 INTRADISTRICT OPEN ENROLLMENT – First Reading

ACTION

ISSUE: Should the Board of Education review Board Policy and Administrative Regulation 5116.1 Intradistrict Open Enrollment?

BACKGROUND: Education Code 35160.5 and 48980 require annual review of Board Policy 5116.1 and Administrative Regulation. There are no recommended updates from CSBA or the staff.

- ALTERNATIVES:**
1. Approve annual review of Board Policy and Administrative Regulation 5116.1 as presented.
 2. Do not approve annual review of Board Policy and Administrative Regulation 5116.1 as presented.

RECOMMENDATION: Approval of Alternative #1.

Respectfully submitted,

 Anthony W. Knight, Ed.D.
 Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5116.1(a)

Intradistrict Open Enrollment

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also maximizing the efficient use of district facilities and resources. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

(cf. 5116.2 - Involuntary Student Transfers)
(cf. 5117 - Interdistrict Attendance)

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of their residence within the district. (Education Code 35160.5)

(cf. 5111.1 - District Residency)

The Board shall annually review this policy. (Education Code 35160.5, 48980)

Enrollment Priorities

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Education Code 35160.5)

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall grant priority for the enrollment of a student in a district school outside of the student's attendance area, if the student:

1. Is enrolled in a district school designated by the California Department of Education (CDE) as "persistently dangerous" (20 USC 7912; 5 CCR 11992)

0450 - Comprehensive Safety Plan)

2. Is a victim of a violent crime while on school grounds (20 USC 7912)
3. Is victim of an act of bullying committed by another district student, as determined through an investigation following the parent/guardian's submission of a written complaint with the school, district, or local law enforcement agency pursuant to Education Code 234.1 (Education Code 46600)

If the district school requested by the student is at maximum capacity, the Superintendent or designee shall accept an intradistrict transfer request for another district school. (Education Code 46600)

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5116.1(b)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131.2 - Bullying)

4. Is currently enrolled in a district school identified by CDE for comprehensive support and improvement, with priority given to the lowest academically achieving students from low-income families as determined pursuant to 20 USC 6313(a)(3) (20 USC 6311)

(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

5. Is experiencing special circumstances that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either:
(Education Code 35160.5)
 - a. A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official or a social worker, or a properly licensed or registered professional, including, but not necessarily limited to, a psychiatrist, psychologist, marriage and family therapist, clinical social worker, or professional clinical counselor
 - b. A court order, including a temporary restraining order and injunction
6. Is a sibling of another student already attending that school
7. Has a parent/guardian whose primary place of employment is that school

Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law and Board policy, applications for intradistrict open enrollment shall be submitted between May 1 and June 1 of the school year preceding the school year for which the transfer is requested.

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space. (Education Code 35160.5)

Except for the enrollment priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine which students shall be admitted whenever a district school receives admission requests that are in excess of the school's capacity.
(Education Code 35160.5)

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5116.1(c)

Enrollment decisions shall not be based on a student's academic or athletic performance. However, existing entrance criteria may be used for enrolling students in specialized schools or programs, provided that the criteria are uniformly applied to all applicants. In addition, academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

Transportation

In general, the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

However, upon parent/guardian request, the district shall provide transportation assistance to any student who is eligible for free or reduced-price meals and whose enrollment in a district school outside the student's attendance area is a result of being a victim of bullying. (Education Code 46600)

(cf. 3250 - Transportation Fees)

(cf. 3540 - Transportation)

Legal Reference:

EDUCATION CODE

200 Prohibition against discrimination

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48200 Compulsory attendance

48204 Residency requirements for school attendance

48300-48316 Student attendance alternatives, school district of choice program

48980 Notice at beginning of term

CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

UNITED STATES CODE, TITLE 20

6311 State plans

6313 Eligibility of schools and school attendance areas; funding allocation

7912 Transfers from persistently dangerous schools

COURT DECISIONS

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

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 95 (2002)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Public School Choice FAQs

Every Student Succeeds Act - Update #8, July 14, 2017

**OAK PARK UNIFIED SCHOOL DISTRICT
BOARD POLICY**

Series 5000

Students

BP 5116.1(d)

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Unsafe School Choice Option, May 2004

WEB SITES

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

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

Adopted: 6-92

Amended: 3-29-94, 4-20-99, 9-17-02, 6-19-12, 01-17-17, 3-2-20

Reviewed: 10-28-20

OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

Series 5000

Students

AR 5116.1(a)

Intradistrict Open Enrollment

Transfers for Victims of a Violent Criminal Offense

Within a reasonable amount of time, not to exceed 14 calendar days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and parent/guardian in making the offer. If the parent/guardian elects to transfer the student, the transfer shall be completed as soon as practicable.

Transfers from a "Persistently Dangerous" School

Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," intradistrict transfers shall be granted as follows:

1. Within 10 days of receipt of the notification from CDE, the Superintendent or designee shall provide parents/guardians of students attending the school with notice of the school's designation. Along with this notification, or at least 14 calendar days before the start of the school year, the Superintendent or designee shall provide a list of other district schools to which any student of the school that is designated as persistently dangerous may transfer.

(cf. 0450 - Comprehensive Safety Plan)

2. Parents/guardians who desire to transfer their child out of the school shall provide a written response to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students.
3. The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. The Superintendent or designee shall notify the parents/guardians of the assigned school.

OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

Series 5000

Students

AR 5116.1(b)

4. For students whose parents/guardians accept the offer, the transfer shall be made as quickly as possible. If the parents/guardians decline the assigned school, the student may remain in the current school.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

The Superintendent or designee shall cooperate with neighboring districts to develop an interdistrict transfer program in the event that space is not available in a district school.

(cf. 5117 - Interdistrict Attendance)

Other Intradistrict Open Enrollment

Except for transfers for victims of a violent crime and from a "persistently dangerous school," the following procedures shall apply to intradistrict open enrollment:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of those schools and open enrollment applications shall be available at each school site, the district office, and on the district's web site.
2. After the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school than there are spaces available, a random drawing shall be held from the applicant pool. A waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall not be added to the waiting list for the current year but shall instead wait for a subsequent lottery.
3. The Superintendent or designee shall provide written notification to applicants as to whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.
4. Approved applicants must confirm their enrollment within 10 school days.

Any student who is granted a transfer out of a school that had been identified by CDE for comprehensive support and improvement shall be allowed to remain in the school of enrollment until completing the highest grade offered at that school. (20 USC 6311)

(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

A student granted intradistrict enrollment under other circumstances shall not be required to

OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

Series 5000

Students

AR 5116.1(c)

reapply for readmission but may be subject to displacement due to excessive enrollment.

Any complaints regarding the open enrollment process shall be submitted in accordance with the applicable complaint procedure.

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code 35160.5, 48980)

1. All options for meeting residency requirements for school attendance

(cf. 5111.1 - District Residency)

2. Program options offered within local attendance areas
3. A description of any special program options available on both an interdistrict and intradistrict basis
4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied
5. A district application form for requesting a change of attendance
6. The explanation of attendance options under California law as provided by CDE

(cf. 5145.6 - Parental Notifications)

Adopted: 9-17-02

Amended: 11-08, 3-11, 1-17-17, 3-17-20

Reviewed: 10-28-20

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT
DATE: OCTOBER 28, 2020
SUBJECT: A.4.e. ANNUAL REVIEW OF BOARD POLICY AND ADMINISTRATIVE REGULATION 6145 EXTRACURRICULAR AND COCURRICULAR ACTIVITIES – First Reading

ACTION

ISSUE: Should the Board of Education review Board Policy and Administrative Regulation 6145 Extracurricular and Cocurricular Activities?

BACKGROUND: Education Code 35160.5 requires annual review of Board policy and Administrative Regulation 6145 Extracurricular and Cocurricular Activities, as it relates to the participation of students in grades 7-12 in extracurricular and cocurricular activities. The policy and administrative regulation are being submitted for review with updates for gender neutrality. There are no other recommended updates from CSBA or the staff.

- ALTERNATIVES:**
1. Approve annual review of Board Policy and Administrative Regulation 6145 Extracurricular and Cocurricular Activities as presented.
 2. Do not approve annual review of Board Policy and Administrative Regulation 6145 Extracurricular and Cocurricular Activities as presented.

RECOMMENDATION: Approval of Alternative #1.

Respectfully submitted,

 Anthony W. Knight, Ed.D.
 Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 6000

Instruction

BP 6145(a)

Extracurricular and Cocurricular Activities

The Governing Board recognizes that extracurricular and cocurricular activities enrich the educational and social development of students and enhance students' feelings of connectedness with the schools. The district shall encourage and support student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational program.

(cf. 1330 – Use of School Facilities)
(cf. 5137 – Positive School Climate)
(cf. 6145.2 – Athletic Competition)
(cf. 5148.2 – Before/After School Programs)

Prerequisites for student participation in extracurricular and cocurricular activities shall be limited to those that have been demonstrated to be essential to the success of the activity. No extracurricular or cocurricular program or activity shall be provided or conducted separately on the basis of any actual or perceived characteristic listed as a prohibited category of discrimination in state or federal law, nor shall any student's participation in an extracurricular or cocurricular activity be required or refused on those bases. (5 CCR 4925)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 6145.5 – Student Organizations and Equal Access)

Any complaint alleging unlawful discrimination in the district's extracurricular or cocurricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Unless specifically authorized by law, no student shall be charged a fee for ~~his/her~~ **their** participation in educational activities, including extracurricular and cocurricular activities and materials or equipment related to such activities. (Education Code 49010, 49011)

(cf. 3260 - Fees and Charges)
(cf. 3452 – Student Activity Funds)

Eligibility Requirements

To be eligible to participate in extracurricular and cocurricular activities, students in grades 7-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 6000

Instruction

BP 6145(b)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale in all enrolled classes
2. Maintenance of minimum progress toward meeting high school graduation requirements

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

(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee may grant ineligible students a probationary period not to exceed one semester. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation. (Education Code 35160.5)

Any decision regarding the eligibility of a homeless student, foster youth, or child of an active duty military family for extracurricular or cocurricular activities shall be made by the Superintendent or designee in accordance with Education Code 48850 and 49701.

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 – Education for Foster Youth)

(cf. 6173.2 – Education of Children of Military Families)

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and cocurricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

Student Conduct at Extracurricular/Cocurricular Events

When attending or participating in extracurricular and cocurricular activities on or off campus, district students are subject to district policies and regulations relating to student conduct. Students who violate district policies and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. When appropriate, the Superintendent or designee shall notify local law enforcement.

(cf. 5131 – Conduct)

(cf. 5131.1 – Bus Conduct)

(cf. 5144 – Discipline)

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

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

Annual Policy Review

The Board shall annually review this policy and implementing regulations. (Education Code 35160.5)

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 6000

Instruction

BP 6145(c)

Legal Reference:

EDUCATION CODE

35145 Public meetings

35160.5 District policy rules and regulations; requirements; matters subject to regulation

35179 Interscholastic athletics; associations or consortia

35181 Students' responsibilities

48850 Participation of homeless students and foster youth in extracurricular activities and interscholastic sports

48930-48938 Student organizations

49010-49013 Student fees

49024 Activity Supervisor Clearance Certificate

49700-49704 Education of children of military families

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

5531 Supervision of extracurricular activities of pupils

UNITED STATES CODE, TITLE 42

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

COURT DECISIONS

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

CALIFORNIA TASK FORCE REPORT TO THE LEGISLATURE

Compact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance

Certificate (ASCC), Coded Correspondence 10-11, July 20, 2010

WEB SITES

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

California Association of Directors of Activities: <http://www.cada1.org>

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

California Interscholastic Federation: <http://www.cifstate.org>

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

Adopted: 4-26-80

Amended: 9-3-85, 1-5-99, 9-17-02, 3-16-10, 8-21-12, 8-30-17

Reviewed: 10-28-20

OAK PARK UNIFIED SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

Series 6000

Instruction

AR 6145(a)

Extracurricular and Cocurricular Activities

Definitions

For the purposes of applying eligibility criteria for student participation, extracurricular and cocurricular shall be defined as follows: (Education Code 35160.5)

1. Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit, do not take place during classroom time, and have all of the following characteristics:
 - a. The program is supervised or financed by the school district.
 - b. Students participating in the program represent the school district.
 - c. Students exercise some degree of freedom in the selection, planning or control of the program.
 - d. The program includes both preparation for performance and performance before an audience or spectators.
2. Co-curricular activities are programs that may be associated with the curriculum in a regular classroom.

An activity is not an extracurricular or co-curricular activity if either of the following conditions applies: (Education Code 35160.5)

1. It is a teacher-graded or required program or activity for a course which satisfies the entrance requirements for admission to the California State University or the University of California.
2. It is a program that has as its primary goal the improvement of academic or educational achievement of students.

Eligibility Requirements

The grade point average used to determine eligibility for extracurricular or cocurricular activities shall be based on grades of the last previous grading period during which the student attended class at least a majority of the time. If a student was not in attendance for all, or a majority of, the grading period due to absences excused by the school for reasons such as serious illness or injury, approved travel, or work, the GPA used to determine eligibility shall be the grading period immediately prior to the excluded grading period(s). (Education Code 35160.5)

OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

Series 6000

Instruction

AR 6145(b)

(cf. 5113 – Absences and Excuses)

When a student becomes ineligible to participate in extracurricular or cocurricular activities in the upcoming grading period, or when ~~he/she~~ the student is subject to probation, the principal or designee shall provide written notice to the student and ~~his/her~~ their parents/guardians.

Supervision

All extracurricular activities conducted under the name or auspices of a district school or any class or organization of the school, regardless of where the activities are held, shall be under the direct supervision of certificated employees. (5 CCR 5531)

Any noncertificated person working with students in a district-sponsored extracurricular activity program shall possess an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing or shall have cleared a Department of Justice and Federal Bureau of Investigation criminal background check prior to beginning ~~his/her~~ their duties, in accordance with BP 4127/4227/4327 – Temporary Athletic Coaches. (Education Code 49024)

(cf. 1240 – Volunteer Assistance)

(cf. 4127/4227/4327 – Temporary Athletic Team Coaches)

(cf. 4212.5 – Criminal Record Check)

Adopted: 1-5-99

Amended: 9-17-02, 3-12, 8-30-17

Reviewed: 10-28-20