



BLACK OAK MINE

UNIFIED SCHOOL DISTRICT

Committed to Educational Excellence

November 8, 2018

MEETING OF THE BOARD OF TRUSTEES

Black Oak Mine Unified School District will provide a safe learning environment that challenges all students to achieve academic, excellence, develop their creative potential, and acquire marketable, career, technical, and personal skills.

Superintendent
Jeremy Meyers

Board of Trustees
Bill Drescher
Joe Scroggins
Darcy Knight
Jeff Burch
Ronnie Ebitson

Student Representative to the Board
Alexis Flint

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
6540 WENTWORTH SPRINGS ROAD
GEORGETOWN, CALIFORNIA

REGULAR MEETING OF THE BOARD OF TRUSTEES

DATE: November 8, 2018
TIME: 6:15 p.m. (Closed)
7:00 p.m. (Open)
LOCATION: 6540 Wentworth Springs Road
Georgetown, CA

Visitors are always welcome at meetings of the Board of Trustees and their suggestions and comments are encouraged. Those wishing to address the Board may do so when the item on the agenda is taken up, prior to action being taken by the Board, or under "Communications". Pursuant to Board Bylaw 9323, at the time of Oral Communications, the Board President will ascertain if there is a need for a time limit and will advise the public. With Board consent, the President may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. The agenda packet for this public meeting, as well as agenda documents distributed less than 72 hours prior to this meeting, are available for review at the Black Oak Mine Unified School District Office at the above address. If you are an individual with a disability and need an accommodation, please contact the District Office at 333-8300 at least 48 hours in advance. The Board meetings are taped by the District Office and the tape recordings are destroyed after 30 days.

AGENDA

- 1.0 CALL TO ORDER - OPEN SESSION - 6:15 P.M.
- 2.0 PUBLIC COMMENT ON CLOSED SESSION AGENDA
- 3.0 CLOSED SESSION TOPICS
The Board of Trustees will review matters pertaining to the following topics as necessary and will announce in public prior to going into Closed Session which topics will be considered in that Closed Session.
 - 3.1 Confidential Student Matter - Interdistrict Appeal Hearing Student #028-18
 - 3.2 Public Employee Employment - Classified Bus Drivers
 - 3.3 Classified Salary Schedule Change
 - 3.4 Conference with Superintendent Jeremy Meyers, Personnel Coordinator Shelly King, and District Labor Negotiators regarding Labor Negotiations with the Black Oak Mine Teachers Association, California School Employees Association, Gold Chain Chapter #660
 - 3.5 Superintendent's Evaluation
- 4.0 OPEN SESSION - 7:00 P.M.
The Board of Trustees will reconvene in open session.
- 5.0 DISCLOSURE OF ACTION TAKEN, IF ANY, IN CLOSED SESSION
- 6.0 PLEDGE OF ALLEGIANCE
- 7.0 ADOPTION OF THE AGENDA
The Board may act upon an item of business not appearing on the posted agenda if, first, the Board publicly identifies the item, and second, one of the following occurs:
 - 7.1 The Board, by majority vote of the full Board, decides that an emergency exists, as defined in Govt. Code Section 54956.5;
 - 7.2 Upon a decision by a 2/3 vote of the Board members present at the meeting, or if less than 2/3 of the Board members are present, a unanimous vote of those present decides, that there is a need to act immediately and that the need to take action came to the

- District's attention after the agenda was posted; or
- 7.3 the item was on the agenda of a prior meeting of the Board occurring not more than five calendar days prior to the date of this meeting, and at the prior meeting the item was continued to this meeting.

M _____ S _____ V _____

- 8.0 COMMUNICATIONS - 7:10 P.M.
- 8.1 Public Hearing - Collection and Accounting for Developer Fees for the 2017-18 School Year (Page 1)
- 8.2 Written Communications
- 8.3 Oral Communications - Members of the public may address the Board on any items of interest to the public that are within the subject matter jurisdiction of the Board, but are not on the agenda or are on the consent agenda. Each person who addresses the Board must first be recognized by the presiding officer and then give his/her name. Comments must be directed to the Board as a whole and not to individual members or District employees. Individual speakers will be allowed three (3) minutes to address the Board and a total of (20) twenty minutes maximum per subject will allowed. However, the Board shall not act upon, respond to, or comment on the merits of any item presented during the Oral Communications, although the Board may ask clarifying questions of the presenter or refer the presenter to a District procedure if appropriate. (Government Code Sections 54954.2 and 54954.3) This is also the time to address any items on the consent agenda.
- 9.0 EXCELLENCE IN EDUCATION - 7:20
- 10.0 BLACK OAK MINE TEACHERS ASSOCIATION REPORT - 7:25 P.M.
- 11.0 CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION REPORT - 7:30 P.M.
- 12.0 STUDENT REPRESENTATIVE TO THE BOARD REPORT - 7:35 P.M.
- 13.0 FACILITIES, MAINTENANCE, OPERATIONS, & TRANSPORTATION REPORT - 7:40 P.M.
- 14.0 SITE ADMINISTRATOR'S REPORTS - 7:45 P.M.
- 15.0 SUPERINTENDENT'S REPORT - 7:55 P.M.
- 16.0 INFORMATION AND DISCUSSION - 8:00 P.M.
- 16.1 Special Education Update (Page 3)
- EXPLANATION: The Board of Trustees will be provided with information on the Special Education Program in the Black Oak Mine Unified School District. This will include the number of SWD in the district and include our Non-Public School students and costs.
- 16.2 California School Dashboard Local Indicator Results (Page 5)
- EXPLANATION: Dr. Wendy Westsmith will give a report on the results of the Local Indicators used to measure the progress of meeting the LCAP priorities and goals.
- 17.0 OLD BUSINESS - 8:15 P.M.
- 17.1 Board Procedural Review (Page 7)
- EXPLANATION: The Board of Trustees will review the proposed Special Board Meeting dates for the 2018-19 School Year site LCAPs.
- 18.0 NEW BUSINESS - 8:20 P.M.
- 18.1 Annual Developer Fee Report (Pages 9-10)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the Annual Developer Fee Report.

M _____ S _____ V _____

18.2 Annual Organizational Meeting (Page 11)

RECOMMENDATION: It is recommended that the Board of Trustees announce the date of the Annual Organizational Meeting as December 13, 2018.

M _____ S _____ V _____

19.0 CONSENT AGENDA - 8:30 P.M.

M _____ S _____ V _____

19.1 Second Reading and Adoption of the CSBA Updated and Revised Board Policies (Pages 13-58)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve Updated/Revised Board Bylaws and Policies.

19.2 Classified Salary Schedule Change (Pages 59-60)

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the change in the Classified Salary Schedule Placement for the following positions: Dispatch and Operations Coordinator from Range 36 to Range 46 and the Mechanic II from Range 41 to Range 46. This change would be retroactive to July 1, 2018.

19.3 Classified Personnel Action - Bus Drivers (Page 61-62)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to employ a 2 hour bus driver and a 4 hour bus driver for the Black Oak Mine Unified School District for the 2018-19 school year.

19.4 Memorandum of Understanding with El Dorado County Office of Education for Teacher Induction Program 2018-19 (Pages 63-66)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the Memorandum of Understanding with El Dorado County Office of Education for Teacher Induction Program 2018-19.

19.5 Adoption of Facility Use Fees Schedule (Page 67-74)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to adopt the Facility Use Fee Schedule.

19.6 American River Charter School Vendor Agreements (Page 75)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the vendor agreements for American River Charter School.

19.7 Board Meeting Minutes for October 11, 2018 (Pages 77-79)

RECOMMENDATION: It is recommended that the Board of Trustees consider

approving the Minutes for the Board Meeting on October 11, 2018.

19.8 Purchase Orders, Warrant, Bids and Quotes (Page 81)

RECOMMENDATION: It is recommended that 2018-19 fiscal year Batch numbers 0021-0029 dated October 4th to October 25th for General Fund, Charter School Fund, Cafeteria Fund, Building Fund, and School Facilities Fund, for a total of \$486,524.92 be approved.

19.9 Gifts (Pages 83-86)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to accept the gifts donated to Black Oak Mine Unified School District.

19.10 Field Trip(s) (Pages 87-90)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the overnight field trip(s).

20.0 REPORTS OF THE BOARD OF TRUSTEES - 8:35 P.M.

21.0 FUTURE MEETINGS

The next regular meeting of the Board of Trustees is Thursday, December 13, 2018 at the District Office at 7:00PM

The next special meeting of the Board of Trustees is Thursday, December 20, 2018 at Georgetown School of Innovation at 6:00PM

22.0 CLOSED SESSION

The Board will continue review of matters specified under agenda item 3.0 as required.

23.0 ADJOURNMENT

PLEASE POST
October 22 – November 8, 2018

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

PUBLIC HEARING
ON THE COLLECTION AND ACCOUNTING FOR
DEVELOPER FEES
FOR THE 2017-18 SCHOOL YEAR

A report containing the above information is available at the District Office

November 8, 2018
7 P.M.
DISTRICT OFFICE
6540 WENTWORTH SPRINGS ROAD
GEORGETOWN, CA

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 16.1 Special Education Program Update

MEETING DATE: November 8, 2018

FROM: Dr. Wendy Westsmith,

EXPLANATION: Dr. Wendy Westsmith will give an update to the Board of Trustees on the Black Oak Mine Unified School District Special Education Program.

BACKGROUND: The Board of Trustees will be informed on the Special Education Program and the costs and number of students in the program at Black Oak Mine Unified School District. This will also include our Non-Public School students and costs.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 16.2 California School Dashboard Local Indicator Results

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent

EXPLANATION: Dr. Wendy Westsmith will give a report on the results of the Local Indicators used to measure the progress of meeting the LCAP priorities and goals.

BACKGROUND: The State Board of Education (SBE) and the California Department of Education (CDE) have launched the California School Dashboard, a new Web site that provides parents, educators, and the public with important information they can use to evaluate schools and school districts in an easy-to-understand report card format. It is a critical piece of California's new school accountability and continuous improvement system.

The State Board of Education approved standards for the local indicators that support an LEA in measuring and reporting progress within the appropriate priority area. The approved standards require an LEA to annually measure its progress, report the results at a regularly scheduled public meeting of the local governing board, and report results to the public through the Dashboard.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 17.1 Board of Trustees Procedural Review

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to set Special Board Meeting dates for the 2018-19 School Year site LCAPs.

BACKGROUND: The Board of Trustees previously considered setting Special Board Meetings at each school site for the 2018-19 School Year Site LCAPs.

Special Board Meeting Dates:

_____ @ Golden Sierra Junior Senior High School

_____ @ Northside School

_____ @ Georgetown School

_____ @ American River Charter School

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 18.1 Annual Developer Fee Report

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent
Sid Albaugh, Chief Business Official

RECOMMENDATION: It is recommended that the Board of Trustees approve the Annual Developer Fee Report.

BACKGROUND: Pursuant to Government Code 66006, all fees and charges, along with any interest income earned thereon, are deposited in a separate capital facilities fund in a manner to avoid any commingling of the fees and charges with other revenues and funds of the District. Each year, the District must account for the fees. Pursuant to Government Code 66001, the District must make certain findings regarding the funds every five years. The District last made five-year findings on November 13, 2014. The next five-year findings should be made by December 31, 2019.

**BLACK OAK MINE UNIFIED SCHOOL DISTRICT
ANNUAL DEVELOPER FEE REPORT
for FISCAL YEAR 2017-2018**

November 8, 2018

	2017-18
Beginning Balance as of July 1, 2017	\$ 587,626

REVENUES:

Mitigation/Developer Fees	146,646
Interest	7,802
Transfers in from Other Funds	
Total Funds	\$ 742,074

EXPENDITURES:

Description of Work	Actual Cost 2017-18
Administrative Fees	4,399
Developer Fee - Collection Fee/Admin (includes Enrollment Projections)	1,500
Total	\$ 5,899

Ending Balance as of June 30, 2018	\$ 736,175
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BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 18.2 Annual Organizational Meeting

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees announce the date of the Annual Organizational Meeting as December 13, 2018.

BACKGROUND: Education Code 35143 provides that the Board of Trustees hold an Annual Organizational Meeting each year. The Board of Trustees has scheduled the Annual Organizational Meeting to take place on Thursday, December 13, 2018, meeting Education Code requirements.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.1 Adoption of CSBA Board Policies

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent

RECOMMEDATION: It is recommended that the Board of Trustees consider adopting the updated/revised CSBA Board Policies.

BACKGROUND: BP 0410 Nondiscrimination in District Programs and Activities - Policy updated to reflect NEW LAW (AB 699) which (1) adds immigration status to the categories of characteristics that are protected against discrimination, (2) requires parent/guardian notification of their child's right to a free public education regardless of immigration status or religious beliefs, and (3) mandates that districts adopt policy consistent with a model policy developed by the California Attorney General, which includes a statement regarding equitable services. Policy also reflects provisions of the Attorney General's model policy and NEW LAW (SB 31) which prohibit districts from compiling or assisting in the compilation of a registry based on immigration status, religion, or other specified characteristics.

BP 3514 Environmental Safety - Policy and regulation updated to reflect NEW LAW (AB 746) which provides that, if a community water system finds lead above specified levels in a school's potable water system, the district must notify parents/guardians, shut down fountains and faucets, and provide a source of drinking water to students. Policy also deletes details regarding district strategies that are duplicated in the AR. Regulation also updates material related to particulate filters in school buses and carbon monoxide detectors to reflect current law.

BP 3514.1 Hazardous Substances - Policy updated to reflect legal requirements regarding toxic art and craft supplies, formerly in BP 6161.3 - Toxic Art Supplies.

BP 3516 Emergencies and Disaster Preparedness Plan - Policy expands paragraph on the involvement of staff and community groups in plan development, consistent with U.S. Department of Education recommendation. Policy also adds training on staff responsibilities in an emergency or disaster, clarifies staff's legal obligation to serve as disaster service workers, and clarifies that board members are not considered disaster service workers. Regulation expands prevention strategies to include measures to increase the security of school facilities, expands crisis communications methods to include social media and electronic

communications, and adds assembly of key information into a "crisis response box" that can be easily accessed in an emergency.

BP 4158/4258/4358 Employee Security - Policy updated to add staff training on procedures for responding to an active shooter situation, condense options on pepper spray to recommend that any possession of pepper spray by employees require advance written permission, and reflect renumbering of legal cite pertaining to pepper spray. Regulation updated to clarify the reporting of an attack, assault, or threat and to modify section on pepper spray consistent with revisions to the BP.

BP 5111 Admission - Policy updated to reflect state law prohibiting the collection of social security numbers or the last four digits of the social security numbers of students or their parents/guardians, unless otherwise required by law. Policy also reflects NEW LAW (AB 699) which prohibits districts from inquiring into students' citizenship or immigration status and the California Attorney General's model policy which provides that, under the limited circumstances when such information must be collected to comply with eligibility requirements for special state or federal programs, such information should be collected separately from the school enrollment process. Regulation updated to reflect a requirement of the Attorney General's model policy that prohibits districts from requiring documentation that may indicate a student's national origin or immigration status, such as a passport, to the exclusion of other permissible documentation. Regulation also reflects the authority to accept a parent/guardian affidavit as evidence of a child's age when other documentation is not available.

BP 5111.1 District Residency - Policy and regulation updated to reflect NEW LAW (AB 699) which prohibits districts from collecting information or documents regarding the citizenship or immigration status of students or their family members. Regulation also updated to reflect NEW LAWS providing that a student meets district residency requirements if the student's parent/guardian is transferring or pending transfer to a military installation within the state (SB 455), or the student's parent/guardian was a resident of California who departed the state against his/her will pursuant to a transfer by a government agency, a court order, or the federal Immigration and Nationality Act (SB 257).

BP 5125 Student Records - Policy updated to reflect the California Attorney General's model policy, developed pursuant to NEW LAW (AB 699), which (1) prohibits districts from collecting information regarding students' citizenship or immigration status, and (2) requires district staff to receive training in the gathering and handling of sensitive student information. Policy also reflects state law limiting the collection of students' social security numbers or the last four digits of the social security numbers, and NEW LAW (SB 31) which prohibits districts from assisting in the compilation of a list, registry, or database based on students' national origin, ethnicity, or religion. Regulation updated to reflect NEW LAW (SB 233) which expands the types of records related to

foster youth that must be made accessible to specified agencies, and a requirement of the Attorney General's model policy that the annual parental notification include a statement that a student's citizenship, place of birth, or national origin will not be released without parental consent or a court order.

BP 5131.2 Bullying - Policy updated to reflect NEW LAW (AB 699) which requires districts to educate students about the negative impact of bullying based on actual or perceived immigration status or religious beliefs and customs. Policy also reflects the California Attorney General's model policy developed pursuant to AB 699, which requires staff training with specified components related to bullying prevention and response.

BP 5145.13 Response to Immigration Enforcement - New policy and regulation reflect NEW LAW (AB 699) which mandates districts to adopt, by July 1, 2018, policy consistent with the model policy developed by the California Attorney General, including policy related to the district's response to requests by law enforcement for access to information, students, or school grounds for immigration enforcement purposes and actions to be taken in the event that a student's family member is detained or deported. Policy also reflects NEW LAW (SB 31) which prohibits districts from compiling or assisting federal government authorities with compiling a list, registry, or database based on students' national origin, ethnicity, or religion.

BP 5145.3 Nondiscrimination/Harassment - Minor revisions made in policy and regulation to reflect NEW LAW (AB 699) which prohibits discrimination based on immigration status.

BP 5145.9 Hate-Motivated Behavior - Policy updated to define hate-motivated behavior and expand material related to collaboration, staff training, and enforcement of rules regarding student conduct. Policy also provides for the use of uniform complaint procedures when the behavior is determined to be based on unlawful discrimination.

BP 6161.3 Toxic Art Supplies - Policy deleted and key concepts incorporated into BP 3514.1 - Hazardous Substances.

Philosophy, Goals, Objectives, and Comprehensive Plans

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

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

(cf. 1240 – Volunteer Assistance)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
cf. 5145.9 – Hate Motivated Behavior
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6145 – Extracurricular and Co-curricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)
(cf. 6178 - Career Technical Education)
(cf. 6200 - Adult Education)

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

(cf. 3540 - Transportation)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5145.13 - Response to Immigration Enforcement)

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

The Superintendent or designee shall annually review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the district. The notification shall be posted in district's web site and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

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

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

Access for Individuals with Disabilities

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

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

transition plan that sets forth the steps for completing the changes.

(cf. 6163.2 – Animals At School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, note takers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

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

Superintendent
6540 Wentworth Springs Road
Georgetown, California
530-333-8300
jmeyers@bomusd.org

Legal Reference: See next page

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)*Legal Reference:*EDUCATION CODE200-262.4 *Prohibition of discrimination*48980 *Parental notifications*48985 *Notices to parents in language other than English*51007 *Legislative intent: state policy*GOVERNMENT CODE8310.3 *California Religious Freedom Act*11000 *Definitions*11135 *Nondiscrimination in programs or activities funded by state*12900-12996 *Fair Employment and Housing Act*54953.2 *Brown Act compliance with Americans with Disabilities Act*PENAL CODE422.55 *Definition of hate crime*422.6 *Interference with constitutional right or privilege*CODE OF REGULATIONS, TITLE 54600-4670 *Uniform complaint procedures*4900-4965 *Nondiscrimination in elementary and secondary education programs*UNITED STATES CODE, TITLE 201400-1482 *Individuals with Disabilities in Education Act*1681-1688 *Discrimination based on sex or blindness, Title IX*2301-2414 *Carl D. Perkins Vocational and Applied Technology Act*6311 *State plans*6312 *Local education agency plans*UNITED STATES CODE, TITLE 29794 *Section 504 of the Rehabilitation Act of 1973*UNITED STATES CODE, TITLE 422000d-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 2835.101-35.190 *Americans with Disabilities Act*36.303 *Auxiliary aids and services*CODE OF FEDERAL REGULATIONS, TITLE 34100.1-100.13 *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: See next page*

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter, May 26, 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Nondiscrimination in Employment Practices in Education, August 1991

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

2010 ADA Standards for Accessible Design, September 2010

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

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

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

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

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Safe Schools Coalition: <http://www.casafeschoolscoalition.org>

Pacific ADA Center: <http://www.adapacific.org>

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

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

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

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

ENVIRONMENTAL SAFETY

The Board of Trustees recognizes its obligation to provide a safe and healthy environment at school facilities for students, staff, and community members. The Superintendent or designee shall regularly assess school facilities to identify environmental health risks and shall develop strategies to prevent and/or mitigate environmental hazards. He/she shall consider the proven effectiveness of various options, anticipated short-term and long-term costs and/or savings to the district, and the potential impact on staff and students, including the impact on student achievement and attendance.

- (cf. 0200 - Goals for the School District)*
- (cf. 0400 - Comprehensive Plans)*
- (cf. 1312.4 - Williams Uniform Complaint Procedures)*
- (cf. 3516 - Emergencies and Disaster Preparedness Plan)*
- (cf. 3516.3 - Earthquake Emergency Procedure System)*
- (cf. 3517 - Facilities Inspection)*
- (cf. 4157/4257/4357 - Employee Safety)*
- (cf. 5142 - Safety)*
- (cf. 7111 - Evaluating Existing Buildings)*

Such strategies shall focus on maximizing healthy indoor air quality; monitoring the quality of outdoor air and adjusting outdoor activities as necessary; reducing exposure to vehicle emissions; minimizing exposure to lead and mercury; reducing the risk of unsafe drinking water; inspecting and properly abating asbestos; appropriately storing, using, and disposing of potentially hazardous substances; using effective least toxic pest management practices; reducing the risk of foodborne illness; and addressing any other environmental hazards identified during facilities inspections.

- (cf. 3510 - Green School Operations)*
- (cf. 3513.3 - Tobacco-Free Schools)*
- (cf. 3514.1 - Hazardous Substances)*
- (cf. 3514.2 - Integrated Pest Management)*
- (cf. 3516.5 - Emergency Schedules)*
- (cf. 3540 - Transportation)*
- (cf. 3541.1 - Transportation for School-Related Trips)*
- (cf. 3542 - School Bus Drivers)*
- (cf. 3550 - Food Service/Child Nutrition Program)*
- (cf. 5141.23 - Asthma Management)*
- (cf. 5141.7 - Sun Safety)*
- (cf. 5142.2 - Safe Routes to School Program)*
- (cf. 6142.7 - Physical Education and Activity)*
- (cf. 6163.2 - Animals at School)*
- (cf. 7150 - Site Selection and Development)*

In developing strategies to promote healthy school environments, the Superintendent or designee may consult and collaborate with local environmental protection agencies, health agencies, and other community organizations.

- (cf. 1020 - Youth Services)*

ENVIRONMENTAL SAFETY (continued)

The Superintendent or designee shall provide the district's maintenance and facilities staff, bus drivers, food services staff, teachers, and other staff as appropriate with professional development regarding their responsibilities in implementing strategies to improve and maintain environmental safety at the schools.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall notify the Board, staff, parents/guardians, students, and/or governmental agencies, as appropriate, if an environmental hazard is discovered at a school site. The notification shall provide information about the district's actions to remedy the hazard and may recommend health screening of staff and students.

(cf. 5141.6 - School Health Services)

Legal Reference: (see next page)

ENVIRONMENTAL SAFETY (continued)*Legal Reference:*EDUCATION CODE

17002 Definition of "good repair"

17070.75 Facilities inspection

17582 Deferred maintenance fund

17590 Asbestos abatement fund

17608-17614 Healthy Schools Act of 2000, least toxic pest management practices

32080-32081 Carbon monoxide devices

32240-32245 Lead-Safe Schools Protection Act

48980.3 Notification of pesticides

49410-49410.7 Asbestos materials containment or removal

FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000, least toxic pest management practices

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

HEALTH AND SAFETY CODE

105400-105430 Indoor environmental quality

113700-114437 California Retail Food Code, sanitation and safety requirements

CODE OF REGULATIONS, TITLE 5

14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 8

337-339 Hazardous substances list

340-340.2 Occupational safety and health, rights of employees

1528-1533 Construction safety orders; exposure to hazards

5139-5223 Control of hazardous substances

CODE OF REGULATIONS, TITLE 13

2025 Retrofitting of diesel school buses

2480 Vehicle idling

CODE OF REGULATIONS, TITLE 17

35001-36100 Lead abatement services

CODE OF REGULATIONS, TITLE 22

64670-64679 Lead and copper in drinking water

CODE OF REGULATIONS, TITLE 24

915.1-915.7 California Building Standards Code; carbon monoxide devices

UNITED STATES CODE, TITLE 7

136-136y Use of pesticides

UNITED STATES CODE, TITLE 15

2601-2629 Control of toxic substances

2641-2656 Asbestos Hazard Emergency Response Act

UNITED STATES CODE, TITLE 42

1758 Food safety and inspections

CODE OF FEDERAL REGULATIONS, TITLE 40

141.1-141.723 Drinking water standards

745.61-745.339 Lead-based paint standards

763.80-763.99 Asbestos-containing materials in schools

763.120-763.123 Asbestos worker protections

Management Resources: (see next page)

ENVIRONMENTAL SAFETY (continued)

*Management Resources:*CSBA PUBLICATIONS*Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008**Asthma Management in the Schools, Policy Brief, March 2008**Food Safety Requirements, Fact Sheet, October 2007**Sun Safety in Schools, Policy Brief, July 2006*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*School Site Selection and Approval Guide, 2000**Indoor Air Quality, A Guide for Educators, 1995*CALIFORNIA DEPARTMENT OF HEALTH SERVICES PUBLICATIONS*Report to the Legislature: Lead Hazards in California's Public Elementary Schools and Child Care Facilities, April 1998*CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY: AIR RESOURCES BOARD PUBLICATIONS*Facts about Truck and Bus Regulation School Bus Provisions, rev. March 22, 2011*CALIFORNIA STATE WATER RESOURCES CONTROL BOARD PUBLICATIONS*Frequently Asked Questions about Lead Testing of Drinking Water in California Schools; Updated for Assembly Bill 746/Health and Safety Code 116277, December 15, 2017*DIVISION OF THE STATE ARCHITECT PUBLICATIONS*K-12 Occupancy Classification and Load Factors, IR A-26, rev. April 18, 2012*U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATIONS*A Citizen's Guide to Radon: The Guide to Protecting Yourself and Your Family from Radon, 2016**Indoor Air Quality Tools for Schools, rev. 2007**Healthy School Environments Assessment Tool, 2007**The ABCs of Asbestos in Schools, rev. August 2003**Mold Remediation in Schools and Commercial Buildings, March 2001**How to Manage Asbestos in School Buildings: AHERA Designated Person's Self-Study Guide, 1996*WEB SITESCSBA: <http://www.csba.org>AirNow: <http://www.airnow.gov>American Association of School Administrators: <http://www.aasa.org>California Air Resources Board: <http://www.arb.ca.gov>California Building Standards: <http://www.bsc.ca.gov/codes.aspx>California Department of Education, Health and Safety: <http://www.cde.ca.gov/ls/fa/hs>California Department of Pesticide Regulation: <http://www.cdpr.ca.gov>California Department of Public Health: <http://www.cdph.ca.gov>California State Water Resources Control Board: <http://www.waterboards.ca.gov>Centers for Disease Control and Prevention: <http://www.cdc.gov>Consumer Product Safety Commission: <http://www.cpsc.gov>National Center for Environmental Health: <http://www.cdc.gov/nceh>Occupational Safety and Health Administration: <http://www.osha.gov>U.S. Environmental Protection Agency: <http://www.epa.gov>Policy
adopted: November 8, 2018BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

HAZARDOUS SUBSTANCES

The Governing Board desires to provide a safe school environment that protects students and employees from exposure to potentially hazardous substances that may be used in the district’s educational program and in the maintenance and operation of district facilities and equipment.

(cf. 3514 - Environmental Safety)
(cf. 4119.42/4219.42/4219.42 – Exposure Control Plan for Bloodborne Pathogens)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 5141.22 - Infectious Diseases)
(cf.5142 – Safety)

Insofar as reasonably possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored and used on school property. When hazardous substances must be used, the Superintendent or designee shall give preference to materials that cause the least risk to people and the environment.

(cf. 3510 – Green School Operations)
(cf. 3514.2 – Integrated Pest Management)

The Superintendent or designee shall ensure that all potentially hazardous substances on district properties are inventoried, used, stored, and regularly disposed of in a safe and legal manner.

The Superintendent or designee shall develop, implement and maintain a written hazard communication program in accordance with 8CCR 5194 and shall ensure that employees students, and others as necessary are fully informed about the properties and potential hazards of substances to which they may be exposed.

(cf. 1240 – Volunteer Assistance)

The Superintendent or designee shall develop specific measures to ensure the safety of students and staff in school laboratories where hazardous chemicals are used. Such measures shall include the development and implementation of a chemical hygiene plan in accordance with 8 CCR 5191 and instruction to students about proper handling of hazardous substances.

(cf. 6142.93 – Science Instruction)

The Superintendent or designee shall not order or purchase for use in grades K-6 any arts and crafts materials containing a substance determined by the California Office of Environmental Health Hazard Assessment to be toxic. The Superintendent or designee shall not purchase any such toxic material for use in grades 7-12 unless it includes a warning label as specified in Education Code 32065 that identifies any toxic ingredients, warns of potential adverse health effects, and describes procedures for safe use and storage. (Education Code 32064)

Legal Reference: see next page

HAZARDOUS SUBSTANCES (continued)

Legal Reference:

EDUCATION CODE

32060-32066 *Toxic art supplies in schools*

49340-49341 *Hazardous substances education*

49401.5 *Legislative intent; consultation services*

49411 *Chemical listing; compounds used in school programs; determination of shelf life; disposal*

FOOD AND AGRICULTURAL CODE

12981 *Regulations re pesticides and worker safety*

HEALTH AND SAFETY CODE

25163 *Transportation of hazardous wastes; registration; exemptions; inspection*

25500-25520 *Hazardous materials release response plans; inventory*

108100-108515 *California Hazardous Substances Act*

LABOR CODE

6360-6363 *Hazardous Substances Information and Training Act*

6380-6386 *List of hazardous substances*

CODE OF REGULATIONS, TITLE 8

339 *List of hazardous substances*

3203 *Illness and injury prevention program*

3204 *Records of employee exposure to toxic or harmful substances*

5139-5230 *Control of hazardous substances, especially*

514.1-5154.2 *Ventilation*

5161 *Definitions*

5162 *Emergency eyewash and shower equipment*

5163 *Control of spills*

5164 *Storage of hazardous substances*

5191 *Occupational exposure to hazardous chemicals in laboratories; chemical hygiene plan*

5194 *Hazard communication*

CODE OF REGULATIONS, TITLE 22

67450.40-67450.49 *School hazardous waste collection, consolidation, and accumulation facilities*

Management Resources;

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Safety Handbook for California Public Schools, 2012

CALIFORNIA OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT PUBLICATIONS

Art and Craft Materials in Schools: Guidelines for Purchasing and Safe Use, September 17, 2016

WEB SITES

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

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

California Office of Environmental Health Hazard Assessment: <http://www.oehha.ca.gov>

Department of Industrial Relations, Cal/OSHA: <http://dir.ca.gov/dosh>

Policy

adopted: November 8, 2018

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

Georgetown, California

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

The Board of Trustees recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. The district shall take all reasonable steps to prevent and/or mitigate the impact of a disaster on district students, staff, and schools.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which contains routine and emergency disaster procedures, including, but not limited to, earthquake emergency procedures, and adaptations for individuals with disabilities in accordance with the Americans with Disabilities Act. Such procedures shall be incorporated into the comprehensive school safety plan. (Education Code 32282)

(cf. 0400 – Comprehensive Plans)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)

In developing the disaster preparedness plan, the Superintendent or designee shall involve district staff at all levels, including administrators, district police or security officers, facilities managers, transportation managers, food services personnel, school psychologists, counselors, school nurses, teachers, classified employees, and public information officers. As appropriate, he/she shall also collaborate with law enforcement, fire safety officials, emergency medical services, health and mental health professionals, parents/guardians, and students.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 3513.3 - District Police/Security Department)

The plan shall comply with state-approved Standardized Emergency Management System (SEMS) guidelines established for multiple-jurisdiction or multiple-agency operations and with the National Incident Management.

The Superintendent or designee shall provide training to employees regarding their responsibilities, including periodic drills and exercises to test and refine staff's responsiveness in the event of an emergency.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community's needs. (Education Code 32282)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

(cf. 1330 - Use of School Facilities)

District employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

Legal Reference:

EDUCATION CODE

32001 *Fire alarms and drills*

32040 *Duty to equip school with first aid kit*

32280-32289 *School safety plans*

32290 *Safety devices*

39834 *Operating overloaded bus*

46390-46392 *Emergency average daily attendance in case of disaster*

49505 *Natural disaster; meals for homeless students; reimbursement*

CIVIL CODE

1714.5 *Release from liability for disaster service workers and shelters*

GOVERNMENT CODE

3100 *Public employees as disaster service workers*

8607 *Standardized emergency management system*

CALIFORNIA CONSTITUTION

Article 20, Section 3 *Oath or affirmation*

CODE OF REGULATIONS, TITLE 5

550 *Fire drills*

560 *Civil defense and disaster preparedness plans*

CODE OF REGULATIONS, TITLE 19

2400-2450 *Standardized emergency management system*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

Management Resources: Next Page

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Crisis Response Box, 2000

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES PUBLICATIONS

Active Shooter Awareness Guidance, February 2018

State of California Emergency Plan, 2017

School Emergency Response: Using SEMS at Districts and Sites, June 1998

FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLICATIONS

National Incident Management System, 3rd ed., October 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guide for Developing High-Quality School Emergency Operations Plans, 2013

WEB SITES

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

American Red Cross: <http://www.redcross.org>

California Department of Education, Crisis Preparedness: <http://www.cde.ca.gov/ls/ss/cp>

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

California Seismic Safety Commission: <http://www.seismic.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Federal Emergency Management Agency: <http://www.fema.gov>

U.S. Department of Education, Emergency Planning: <http://www.ed.gov/admins/lead/safety/emergencyplan>

U.S. Department of Homeland Security: <http://www.dhs.gov>

All Personnel

BP 4158(a)

4258

EMPLOYEE SECURITY

4358

The Board of Trustees desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing them with necessary assistance and support when emergency situations occur.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 5131.4 - Student Disturbances)

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or his/her parent/guardian to recover damages to the employee or his/her property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of his/her duties. (Education Code 48904, 48905)

(cf. 3320 - Claims and Actions Against the District)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

The Superintendent or designee shall ensure that employees receive training in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee also shall inform teachers, in accordance with law, of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

(cf. 5141 - Health Care and Emergencies)

EMPLOYEE SECURITY (continued)

Use of Pepper Spray

Employees may not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Reporting of Injurious Objects

The Board requires employees to take immediate action upon being made aware that any person is in possession of weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the potential danger involved and shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 and the principal

(cf. 3515.7 - Firearms on School Grounds)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

When informing the principal about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

Legal Reference:

EDUCATION CODE
32210-32212 *Willful disturbance, public schools or meetings*
32225-32226 *Communication devices*
35208 *Liability insurance*
35213 *Reimbursement for loss, destruction or damage of school property*

EMPLOYEE SECURITY (continued)

- 44014 Report of assault by pupil against school employee
- 44807 Duty concerning conduct of students
- 48201 Transfer of student records
- 48900-48926 Suspension or expulsion
- 49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
- 49330-49335 Injurious objects
- CIVIL CODE
- 51.7 Freedom from violence or intimidation
- CODE OF CIVIL PROCEDURE
- 527.8 Workplace violence safety
- GOVERNMENT CODE
- 995-996.4 Defense of public employees
- 3543.2 Scope of representation
- PENAL CODE
- 71 Threatening public officers and employees and school officials
- 240-246.3 Assault and battery, including:
 - 241.3 Assault against school bus drivers
 - 241.6 Assault on school employee includes board member
 - 243.3 Battery against school bus drivers
 - 243.6 Battery against school employee includes board member
 - 245.5 Assault with deadly weapon; school employee includes board member
- 290 Registration of sex offenders
- 601 Trespass by person making credible threat
- 626-626.11 School crimes
- 646.9 Stalking
- 22810 Purchase, possession, and use of tear gas
- WELFARE AND INSTITUTIONS CODE
- 827 Juvenile court proceedings; reports; confidentiality
- 828.1 District police or security department, disclosure of juvenile records
- COURT DECISIONS
- City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526

Management Resources:

WEB SITES

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

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

ADMISSION

The Board of Trustees encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children seeking admission to a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

The Superintendent or designee shall announce and publicize the timeline and process for registration of students at district schools. Applications for intradistrict or interdistrict enrollment shall be subject to the timelines specified in applicable Board policies and administrative regulations.

- (cf. 1112 - Media Relations)*
- (cf. 1113 - District and School Web Sites)*
- (cf. 1114 - District-Sponsored Social Media)*
- (cf. 5116.1 - Intradistrict Open Enrollment)*
- (cf. 5117 - Interdistrict Attendance)*
- (cf. 5118 - Open Enrollment Act Transfers)*

All appropriate staff shall receive training on district admission policies and procedures, including information regarding the types of documentation that can and cannot be requested. The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

Verification of Admission Eligibility

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policies or administrative regulation.

- (cf. 5111.1 - District Residency)*
- (cf. 5125 - Student Records)*
- (cf. 5141.3 - Health Examinations)*
- (cf. 5141.31 - Immunizations)*
- (cf. 5141.32 - Health Screening for School Entry)*

The district shall not inquire into or request documentation of a student's social security number or the last four digits of the social security number or the citizenship or immigration status of the student or his/her family members. (Education Code 234.7, 49076.7)

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

ADMISSION (continued)

(cf. 5145.13 - Response to Immigration Enforcement)

(cf. 5145.3 - Nondiscrimination/Harassment)

However, such information may be collected when required by state or federal law or to comply with requirements for special state or federal programs. In any such situation, the information shall be collected separately from the school enrollment process and the Superintendent or designee shall explain the limited purpose for which the information is collected. Enrollment in a district school shall not be denied on the basis of any such information of the student or his/her parents/guardians obtained by the district, or the student's or parent/guardian's refusal to provide such information to the district.

School registration information shall list all possible means of documenting a child's age for grades K-1 as authorized by Education Code 48002 or otherwise prescribed by the Board. Any alternative document allowed by the district shall be one that all persons can obtain regardless of immigration status, citizenship status, or national origin and shall not reveal information related to citizenship or immigrant status.

The Superintendent or designee shall immediately enroll a homeless student, foster youth, student who has had contact with the juvenile justice system, or a child of a military family regardless of outstanding fees or fines owed to the student's last school, lack of clothing normally required by the school, such as school uniforms, or for his/her inability to produce previous academic, medical, or other records normally required for enrollment. (Education Code 48645.5, 48850, 48852.7, 48853.5, 49701; 42 USC 11432)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6173.3 - Education for Juvenile Court School Students)

Legal Reference:

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status

46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten

46600 Agreements for admission of students desiring interdistrict attendance

48000 Minimum age of admission (kindergarten)

48002 Evidence of minimum age required to enter kindergarten or first grade

48010 Minimum age of admission (first grade)

48011 Admission from kindergarten or other school; minimum age

48050-48053 Nonresidents

48200 Children between ages of 6 and 18 years (compulsory full-time education)

48350-48361 Open Enrollment Act

ADMISSION (continued)

48645.5 Enrollment of former juvenile court school students
 48850-48859 Educational placement of foster youth
 49076 Access to records by persons without written consent or under judicial order
 49076.7 Student records; data privacy; social security numbers
 49408 Information of use in emergencies
 49452.9 Health care coverage options and enrollment assistance
 49700-49704 Education of children of military families
HEALTH AND SAFETY CODE
 120325-120380 Education and child care facility immunization requirements
 121475-121520 Tuberculosis tests for students
CODE OF REGULATIONS, TITLE 5
 200 Promotion from kindergarten to first grade
 201 Admission to high school
CODE OF REGULATIONS, TITLE 17
 6000-6075 School attendance immunization requirements
 552a Note Refusal to disclose social security number
UNITED STATES CODE, TITLE 42
 11431-11435 McKinney Homeless Assistance Act
 COURT DECISIONS
 Plyler v. Doe, 457 U.S. 202 (1982)

*Management Resources:*CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS

Dear Colleague Letter: School Enrollment Procedures, May 8, 2014

Fact Sheet: Information on the Rights of All Children to Enroll in School, May 8, 2014

Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, May 8, 2014

WEB SITES

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

California Department of Education, Health Care Coverage and Enrollment Assistance:
<http://www.cde.ca.gov/ls/he/hc>

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

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

U.S. Department of Justice: <http://www.justice.gov>

DISTRICT RESIDENCY

The Board of Trustees desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into the citizenship or immigration status of students or their family members.

(cf. 5145.13 - Response to Immigration Enforcement)

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

Investigation of Residency

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public

DISTRICT RESIDENCY (continued)

records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district. (Education Code 48204.2)

The investigation shall not include the surreptitious collection of photographic or video graphic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

Appeal of Enrollment Denial

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

In an appeal to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.

DISTRICT RESIDENCY (continued)**Enrollment Not Requiring District Residency**

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

(cf. 5111.2 - Nonresident Foreign Students)

(cf. 6145.6 - International Exchange)

The district may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)

(cf. 6178.2 - Regional Occupational Center/Program)

*Legal Reference:*EDUCATION CODE

220 Prohibition of discrimination

234.7 Student protections relating to immigration and citizenship status

35160.5 Intradistrict open enrollment

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48200-48208 Compulsory education law, especially:

48204 Residency requirements

48204.1-48204.2 Evidence of residency

48300-48317 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act transfers

48645.5 Former juvenile court school students, enrollment

48852.7 Education of homeless students; immediate enrollment

48853.5 Education of foster youth; immediate enrollment

48980 Notifications at beginning of term

52317 Regional occupational program, admission of persons including nonresidents

FAMILY CODE

6550-6552 Caregivers

GOVERNMENT CODE

6205-6210 Confidentiality of residence for victims of domestic violence

CODE OF REGULATIONS, TITLE 5

432 Retention of student records

DISTRICT RESIDENCY (continued)

UNITED STATES CODE, TITLE 8

1229c Immigration and Nationality Act

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

COURT DECISIONS

Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47

Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014

CALIFORNIA ATTORNEY GENERAL'S OFFICE PUBLICATIONS

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

U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION [OFFICE FOR CIVIL RIGHTS JOINT] PUBLICATIONS

Fact Sheet: Information on the Rights of All Children to Enroll in School

Dear Colleague Letter: School Enrollment Procedures, May 8, 2014

Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, May 8, 2014

WEB SITES

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

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

California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>

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

U.S. Department of Justice: <http://www.justice.gov>

STUDENT RECORDS

The Board of Trustees recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records are consistent with state and federal law.

(cf. 3580 - District Records)
(cf. 4040 - Employee Use of Technology)
(cf. 5125.1 - Release of Directory Information)
(cf. 5125.3 - Challenging Student Records)

The Superintendent or designee shall designate a certificated employee to serve as custodian of records with responsibility for student records at the district level. At each school, the principal or a certificated employee shall be designated as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The district shall not collect or solicit social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. (Education Code 49076.7)

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program. The Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena. If a district employee receives such a request, he/she shall immediately report the request to the Superintendent. The Superintendent shall report the request to the Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

(cf. 5145.13 - Response to Immigration Enforcement)

The Superintendent or designee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, nor shall he/she disclose student information to federal government authorities for the purpose of

STUDENT RECORDS

compiling such a list, registry, or database for purposes of immigration enforcement. Such information may only be compiled or exchanged with other local, state, or federal agencies if the information is aggregated and is not personally identifiable. (Government Code 8310.3)

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any district student, provided that the district first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled Board meeting, and gathers only information that directly pertains to school safety or student safety. (Education Code 49073.6)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.2 - Bullying)

(cf. 5145.6 - Parental Notifications)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

Contract for Digital Storage, Management, and Retrieval of Student Records

The Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

(cf. 3312 - Contracts)

Legal Reference:

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status

17604 Contracts

48201 Student records for transfer students who have been suspended/expelled

48853.5 Foster youth; placement, immunizations

48902 Notification of law enforcement of specified violations

48904-48904.3 Withholding grades, diplomas, or transcripts

48918 Rules governing expulsion procedures

48980 Parental notifications

48985 Notices in parent/guardian's primary language

49060-49079 Student records

49091.14 Parental review of curriculum

51747 Independent study programs

56041.5 Rights of students with disabilities

56050 Surrogate parents

STUDENT RECORDS

56055 Foster parents
 69432.9 Cal Grant program; notification of grade point average
BUSINESS AND PROFESSIONS CODE
 22580-22582 Digital privacy
 22584-22585 Student Online Personal Information Protection Act
 22586-22587 Early Learning Personal Information Protection Act
CODE OF CIVIL PROCEDURE
 1985.3 Subpoena duces tecum
FAMILY CODE
 3025 Access to records by noncustodial parents
 6552 Caregiver's authorization affidavit
GOVERNMENT CODE
 6252-6260 Inspection of public records
HEALTH AND SAFETY CODE
 120440 Immunizations; disclosure of information
Penal Code
 245 Assault with deadly weapon
WELFARE AND INSTITUTIONS CODE
 681 Truancy petitions
 701 Juvenile court law
 16010 Health and education records of a minor
CODE OF REGULATIONS, TITLE 5
 430-438 Individual student records
 16020-16027 Destruction of records of school districts
UNITED STATES CODE, TITLE 20
 1232g Family Educational Rights and Privacy Act
 1232h Protection of Pupil Rights Amendment
UNITED STATES CODE, TITLE 26
 152 Definition of dependent child
UNITED STATES CODE, TITLE 42
 11434a McKinney-Vento Homeless Assistance Act; definitions
CODE OF FEDERAL REGULATIONS, TITLE 16
 Part 312 Children's Online Privacy Protection Rule
CODE OF FEDERAL REGULATIONS, TITLE 34
 99.1-99.67 Family Educational Rights and Privacy
 300.501 Opportunity to examine records for parents of student with disability

Management Resources:

CSBA PUBLICATIONS
Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018
FEDERAL REGISTER
Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy, December 9, 2008, Vol. 73, No. 237, pages 74806-74855
NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS
Data in the Cloud: A Legal and Policy Guide for School Boards on Student Data Privacy in the Cloud Computing Era, April 2014
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

STUDENT RECORDS

IDEA and FERPA Confidentiality Provisions, 2014

Joint Guidance on the Application of FERPA and HIPAA to Student Health Records, November 2008

Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, October 2007

WEB SITES

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

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

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Family Policy Compliance Office,
<http://www.ed.gov/policy/gen/guid/fpco>

BULLYING

The Board of Trustees recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyber bully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyber bullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. Cyber bullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6163.4 - Student Use of Technology)

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

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

(cf. 1020 - Youth Services)

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive,

BULLYING (continued)

collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.

(cf. 5137 - Positive School Climate)

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

(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)

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

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

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

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

BULLYING (continued)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

A School staff member who witnesses an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

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

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 Uniform Complaint Procedures)

When the circumstances involve cyber bullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute

BULLYING (continued)

cyber bullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Investigation and Resolution of Complaints

Any complaints of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complain procedures specified in AR 1312.3.

If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Discipline

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

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

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

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

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

BULLYING (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
32283.5 Bullying; online training
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices
52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

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

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

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

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

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

Cyber bullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

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

Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

BULLYING (continued)

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

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

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

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

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

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

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

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

Collaborative for Academic Social and Emotional Learning: <http://casel.org>

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

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

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

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

Students

BP 5145.13(a)

RESPONSE TO IMMIGRATION ENFORCEMENT

The Board of Trustees is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law. (Education Code 234.7)

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of his/her immigration status. (Education Code 200, 220, 234.1)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

(cf. 5145.6 - Parental Notifications)

Consistent with requirements of the California Office of the Attorney General, the Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to district records, school sites, or students for the purpose of immigration enforcement.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

Teachers, school administrators, and other school staff shall receive training regarding immigration issues, including information on responding to a request from an immigration officer to visit a school site or to have access to a student.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

RESPONSE TO IMMIGRATION ENFORCEMENT

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

*Legal Reference:*EDUCATION CODE

200 Educational equity

220 Prohibition of discrimination

234.1 Safe Place to Learn Act

234.7 Student protections relating to immigration and citizenship status

48204.4 Evidence of residency for school enrollment

48980 Parental notifications

48985 Notices to parents in language other than English

GOVERNMENT CODE

8310.3 California Religious Freedom Act

PENAL CODE

422.55 Definition of hate crime

627.1-627.6 Access to school premises, outsiders

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

COURT DECISIONS

Plyler v. Doe, 457 U.S. 202 (1982)

*Management Resources:*CSBA PUBLICATIONSLegal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONSPromoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018WEB SITESCSBA: <http://www.csba.org>California Office of the Attorney General: <http://oag.ca.gov>California Department of Education: <http://www.cde.ca.gov>California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>California Department of Justice: <http://www.justice.gov>U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>U.S. Immigration and Customs Enforcement: <http://www.ice.gov>U.S. Immigration and Customs Enforcement, Online Detainee Locator System: <http://locator.ice.gov/odls>

Policy
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

NONDISCRIMINATION/HARASSMENT

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

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

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

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

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint

NONDISCRIMINATION/HARASSMENT (continued)

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

(cf. 1312.3 – Uniform Complaint Procedures)
(cf. 1330 – Use of Facilities)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6145 – Extracurricular and Cocurricular Activities)
(cf. 6145.2 – Athletic Competition)
(cf. 6164.2 – Guidance/Counseling Services)

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

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

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

Record-Keeping

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

(cf. 3580 - District Records)

NONDISCRIMINATION/HARASSMENT (continued)*Legal Reference:*EDUCATION CODE

200-262.4 Prohibition of discrimination
 48900.3 Suspension or expulsion for act of hate violence
 48900.4 Suspension or expulsion for threats or harassment
 48904 Liability of parent/guardian for willful student misconduct
 48907 Student exercise of free expression
 48950 Freedom of speech
 48985 Translation of notices
 49020-49023 Athletic programs
 51500 Prohibited instruction or activity
 51501 Prohibited means of instruction
 60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

PENAL CODE

422.55 Definition of hate crime
 422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record
 4600-4687 Uniform Complaint Procedures
 4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972
 12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
 6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information
 100.3 Prohibition of discrimination on basis of race, color or national origin
 104.7 Designation of responsible employee for Section 504
 106.8 Designation of responsible employee for Title IX
 106.9 Notification of nondiscrimination on basis of sex
 110.25 Prohibition of discrimination based on age

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

*Management Resources:*CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

NONDISCRIMINATION/HARASSMENT (continued)

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

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

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

California Safe Schools Coalition: <http://www.casafeschools.org>

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

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

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

HATE-MOTIVATED BEHAVIOR

In order to create a safe learning environment for all students, the Board of Trustees desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

The Board of Trustees is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131- Conduct)

(cf. 5131.2 - Bullying)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148.2 - Before/After School Programs)

The district shall provide age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

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

(cf. 6141.94 - History-Social Science Instruction)

HATE-MOTIVATED BEHAVIOR (continued)

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.

The Superintendent or designee shall provide staff with training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Grievance Procedures

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

(cf. 3515.3 - District Police/Security Department)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5144 - Discipline)

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

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

Legal Reference: Next Page

HATE-MOTIVATED BEHAVIOR (continued)*Legal Reference:*EDUCATION CODE*200-262.4 Prohibition of discrimination**32282 School safety plans**48900.3 Suspension for hate violence**48900.4 Suspension or expulsion for threats or harassment*PENAL CODE*422.55 Definition of hate crime**422.6 Crimes, harassment*CODE OF REGULATIONS, TITLE 5*4600-4687 Uniform Complaint Procedures**4900-4965 Nondiscrimination in elementary and secondary education programs*CODE OF FEDERAL REGULATIONS, TITLE 28*35.107 Nondiscrimination on basis of disability; complaints*CODE OF FEDERAL REGULATIONS, TITLE 34*100.3 Prohibition of discrimination on basis of race, color or national origin**104.7 Designation of responsible employee for Section 504**106.8 Designation of responsible employee for Title IX**110.25 Prohibition of discrimination based on age**Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*Bullying at School, 2003*CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS*Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018*U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS*Dear Colleague Letter: Harassment and Bullying, October 2010**Dear Colleague Letter: Prohibited Disability Harassment, July 2000*WEB SITES*CSBA: <http://www.csba.org>**California Association of Human Relations Organizations: <http://www.cahro.org>**California Department of Education: <http://www.cde.ca.gov>**California Office of the Attorney General: <http://oag.ca.gov>**U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>**U.S. Department of Justice, Community Relations Service: <http://www.usdoj.gov/crs>*

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.2 Change in Classified Salary Schedule Placement

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent
Shelly King, Personnel Services Coordinator

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the change in the Classified Salary Schedule Placement for the following positions: Dispatch and Operations Coordinator from Range 36 to Range 46 and the Mechanic II from Range 41 to Range 46. This change would be retroactive to July 1, 2018.

BACKGROUND: The Dispatch and Operations Coordinator and the Mechanic II positions both require certifications and responsibilities that continue to increase. It has been agreed upon by the District and CSEA Gold Chain Chapter 660 that it is in our best interest to make these changes.

**APPENDIX A
BLACK OAK MINE UNIFIED SCHOOL DISTRICT
CLASSIFIED SALARY SCHEDULE 2018-19
ARTICLE X**

1% retro effective date 7/1/2018

RANGE	RANGE					RANGE					CLASSIFICATION
	I	II	III	IV	V	8th	13th	18th	23rd	28th	
18	10.72	11.26	11.82	12.41	13.03	13.29	13.55	13.81	14.07	18	Cafeteria Assistant, Campus Supervision, Inst Aide I Pupil Services Clerk, Inst. Aide II, Cook RSP Aide Inst Aide III, Workilly Job Coach, Computer Skills Aide, Office Asst., Library Clerk, Bus Attendant, SDC Aide Workability / Program Coordinator Art Specialist Cust. I, Utility M/T, Grounds Maint I, Courier, Pupil Pers. Secy, Library Tech, Health Specialist, Health Aide Kitchen Manager Bus Driver, Custodian II Coordinating Kitchen Manager Maint I, Bus Driver Inst, School Secy, Career Specialist, /Jnd. Study Office Mgr, Business Secretary, Grounds Maint. II Maintenance II, Mechanic I, Maintenance II;HVAC Computer Technician/Nurse Specialist Information Technology Technician, Mechanic II, Dispatch and Operations Coordinator
19	10.99	11.54	12.12	12.73	13.37	13.64	13.90	14.17	14.44	19	
20	11.26	11.82	12.41	13.03	13.68	13.95	14.23	14.50	14.77	20	
21	11.54	12.12	12.73	13.37	14.04	14.32	14.60	14.88	15.16	21	
22	11.83	12.42	13.04	13.69	14.37	14.66	14.94	15.23	15.52	22	
23	12.13	12.74	13.38	14.05	14.75	15.05	15.34	15.64	15.93	23	
24	12.43	13.05	13.70	14.39	15.11	15.41	15.71	16.02	16.32	24	
25	12.74	13.38	14.05	14.75	15.49	15.80	16.11	16.42	16.73	25	
26	13.06	13.71	14.40	15.12	15.88	16.20	16.52	16.83	17.15	26	
27	13.39	14.06	14.76	15.50	16.28	16.61	16.93	17.26	17.58	27	
28	13.72	14.41	15.13	15.89	16.68	17.01	17.35	17.68	18.01	28	
29	14.06	14.76	15.50	16.28	17.09	17.43	17.77	18.12	18.46	29	
30	14.41	15.13	15.89	16.68	17.51	17.86	18.21	18.56	18.91	30	
31	14.77	15.51	16.29	17.10	17.96	18.32	18.68	19.04	19.40	31	
32	15.14	15.90	16.70	17.54	18.42	18.79	19.16	19.53	19.89	32	
33	15.52	16.30	17.12	17.98	18.88	19.26	19.64	20.01	20.39	33	
34	15.91	16.71	17.55	18.43	19.35	19.74	20.12	20.51	20.90	34	
35	16.31	17.13	17.99	18.89	19.83	20.23	20.62	21.02	21.42	35	
36	16.72	17.56	18.44	19.36	20.33	20.74	21.14	21.55	21.96	36	
37	17.14	18.00	18.90	19.85	20.84	21.26	21.67	22.09	22.51	37	
38	17.57	18.45	19.30	20.34	21.36	21.79	22.21	22.64	23.07	38	
39	18.01	18.91	19.86	20.85	21.89	22.33	22.77	23.20	23.64	39	
40	18.46	19.38	20.35	21.37	22.44	22.89	23.34	23.79	24.24	40	
41	18.92	19.87	20.86	21.90	23.00	23.46	23.92	24.38	24.84	41	
42	19.39	20.36	21.38	22.45	23.57	24.04	24.51	24.98	25.46	42	
43	19.87	20.86	21.90	23.00	24.15	24.63	25.12	25.60	26.08	43	
44	20.37	21.39	22.46	23.58	24.76	25.26	25.75	26.25	26.74	44	
45	20.88	21.92	23.02	24.17	25.38	25.89	26.40	26.90	27.41	45	
46	21.40	22.47	23.59	24.77	26.01	26.53	27.05	27.57	28.09	46	
47	21.94	23.04	24.19	25.40	26.67	27.20	27.74	28.27	28.80	47	
48	22.49	23.61	24.79	26.03	27.33	27.88	28.42	28.97	29.52	48	
49	23.05	24.20	25.41	26.68	28.01	28.57	29.13	29.69	30.25	49	
50	23.63	24.81	26.05	27.35	28.72	29.29	29.87	30.44	31.02	50	

LONGEVITY INCREASES

- Beginning 8th year of service - 2% over base salary
- Beginning 13th year of service - 4% over base salary
- Beginning 18th year of service - 6% over base salary
- Beginning 23rd year of service - 8% over base salary

BLACK OAK MINE UNIFIED SCHOOL DISTRICT IS AN EQUAL OPPORTUNITY EMPLOYER. NO PERSON SHALL BE DISCRIMINATED AGAINST BECAUSE OF RACE, COLOR, SEX, NATIONAL ORIGIN, AGE, OR HANDICAP.
Board approved: _____
sk/class/2018-19 classified salary schedule

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.3 Classified Personnel Action

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent
Shelly King, Personnel Services Coordinator

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to employ Robert King as a 2 hour bus driver, and Clorisa Blish as a 4 hour bus driver for the Black Oak Mine Unified School District for the 2018-19 school year.

BACKGROUND: The position is necessary due to staffing needs. The classified personnel action is submitted in accordance with District policy.

CLASSIFIED PERSONNEL ACTION

Classified Employment 2018-19 School Year

Robert King - 2 Hour Bus Driver. Robert has been trained by the District's Bus Driver Trainer and has completed all requirements to become a school bus driver.

Clorisa Blish - 4 Hour Bus Driver. Clorisa has been trained by the District's Bus Driver Trainer and has completed all requirements to become a school bus driver.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.4 Memorandum of Understanding with El Dorado County Office of Education for Teacher Induction Program 2018-19

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees approve the MOU with El Dorado County Office of Education for Teacher Induction Program 2018-19.

BACKGROUND: This MOU with the El Dorado County Office of Education will provide teachers in their first or second year of teaching a mentor. Mentors will meet with the participating teacher not less than one hour per week (64 hours per year on induction-related credentialing activities is required for these teachers); meet as needed for on-call assistance and ongoing informal discussions; complete all non-evaluative classroom observations; and facilitate classroom observation opportunities for Participation Teachers.



El Dorado County Teacher Induction Program 2018-2019 District Agreement & Memorandum of Understanding

Participating Teachers:

Credentialed teachers in their first or second year of teaching are eligible to participate in the El Dorado County Teacher Induction Program. Participating Teachers must hold a California Preliminary Multiple or Single Subject credential, or a Level 1 or Preliminary Education Specialist credential, and be employed by an El Dorado County Consortium District or EDCOE Charter SELPA school. Teachers who successfully complete induction regularly dedicate time to induction-related credentialing activities, including attendance at all online seminars and weekly meetings with Mentors. Teachers must have access to all online components of the program.

Mentors:

Site administrators select and assign experienced teachers as Mentors based on criteria as described in the EDCOE Mentor application. Mentors must complete an in-person initial training and attend the annual in-person Mentor Network meeting. In addition, Mentors must have access to, and attend all online components of the program. Mentors will meet with each Participating Teacher an average of not less than one hour per week for individualized support/mentoring coordinated and/or provided by the Mentor for a minimum of 35 hours.

Administrator:

The site administrator fully supports participation in the El Dorado County Teacher Induction Program by:

Providing resources that include positive working conditions, locally adopted instructional materials, educational technology, and an opportunity to collaborate with colleagues.

Attending initial and mid-inquiry meetings with the Participating Teacher to discuss initial development of Professional Growth Goals, professional learning opportunities available to support their Professional Growth Goals and progress made toward their Professional Growth Goals throughout the year.

Providing release time for both Participating Teachers and Mentors to meet requirements for observations and trainings. Support on site Participating Teacher/Mentor partnership and communicate questions/concerns to Induction Leadership for a timely resolution

PROGRAM COSTS

The site administrator agrees to review and respond to program correspondence, participate in ongoing program planning and evaluation, and manage payment for the following program costs:

- Mentor stipend (determined by district)
- Provide release time for Participating Teachers to complete two, one-hour observations of experienced colleagues
- Provide release time for Mentors to complete four, one-hour observations of the Participating Teacher
- 1 release day for *New Mentor Training*
- 1 release day for Mentor Network Meeting

PT Last	PT First	Year	Curriculum	Teacher School
Aquino	Heidi	1	GE	Northside Elementary
Henry	Sonia	1	GE	Golden Sierra High
Jones	Robin	1	GE	Golden Sierra High
Marshall	Jessica	1	GE	Georgetown Elementary
Nicholson	Dylan	2	ES	Golden Sierra High
Phillips	Erica	2	GE	Golden Sierra High
Smith	Nathaniel	1	ES	Georgetown Elementary



Jeremy Meyers, Superintendent
Black Oak Mine Unified School District

10/19/18

Date

Robbie Montalbano
Deputy Superintendent, El Dorado County Office of Education

Date

Return signed original by October 31, 2018 to:
El Dorado County Office of Education
Attn: Jill Morton, Director, Professional Development

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.5 Adoption of Facility Use Fees Schedule

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees considers taking action to adopt the Facility Use Fees Schedule.

BACKGROUND: Education Code Section 38130, The Civic Center Act, provides that there is a civic center at each and every public school and grounds within the state for which the community can gather and meet. A school district may grant the use of the school facilities or grounds, and in turn may charge proportional fees that reflect the school district's direct costs for capital and direct costs for operations.

At its meeting on August 27, 2018, the Georgetown Divide Recreation District Board (GDRD) voted to terminate the long-time community partner agreement (*effective December 1, 2018*) with Black Oak Mine USD whereby GDRD collected facility use fees and scheduled school district facilities on behalf of BOMUSD. In order to facilitate this transition, BOMUSD staff have been establishing systems and criteria for the collection of facility use fees beginning in December.

The collection of facility use fees is codified by the California Education Code and allows for: (1) the collection of direct costs for capital, and (2) the direct costs for operations. Education Code Section 38134 (g)(1)(B) defines Capital Direct Costs as the share of the costs for maintenance, repair, restoration, and refurbishment, proportional to the use of the school facilities or grounds by the entity using the school facilities or grounds. Furthermore, Education Code Section 38134 (g)(1)(A) defines Operational Direct Costs as the share of the costs of supplies, utilities, janitorial services, services of school district employees and salaries paid to school district employees directly associated with the administration of this section to operate and maintain school facilities or grounds that is proportional to the entity's use of the school facilities or grounds under this sections.

In order to eliminate confusion, the facility use fee schedule presented has combined the direct costs for operation and the operational costs into one schedule of fees. The fees do not reflect any measurable changes to the rates approved by the Board in December of 2017, but

have merely added the operational costs (supplies, custodial costs, and utilities) to the schedule.

The Black Oak Mine Unified School District schedule of fees was developed using the California Department of Education prescribed methodology and the funds derived from the Capital Direct Costs will be accounted for separately and used for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds.

Facility Use Fee Schedule

Intent of Fees: The primary intent of the Board of Trustees in establishing a usage fee schedule is to recover at least the direct costs (*capital and operational*) of providing additional services to organizations and individuals who chose to rent District facilities for individual or organizational use. School-sponsored organization, whose activities are directly related to or for the benefit of district schools shall be granted free use of facilities.

In the event the fees have been paid and the activity is cancelled or bumped by a school-sponsored activity and no alternate date can be arranged, the fees will be refunded.

The administration of facilities and their usage shall be in accordance with the Civic Center Act and Board Policy/Administration Regulation 1330 (d). The following fee schedule will apply to eligible groups, Class II-IV, with priority for use in the order listed on the attached AR 1330 (d). **For private entities and activities, Class V-VI, fair rent is equal to double the rates below plus insurance and deposits.**

Note: The Facility Use Fee Schedule includes both direct capital costs (*rental charge*) and direct operational costs (*supplies, labor, and utilities*).

Fields	2 Hours¹	4 Hours	Day Use	Security Deposit (refundable)
Stadium Field (without lights) ²	\$160	\$440	\$810	\$300
Stadium Field (with lights) ²	\$190	\$520	\$950	
	2 Hours¹	4 Hours	Day Use	Security Deposit (refundable)
Golden Sierra Softball Field	\$50	\$70	\$120	\$100
Golden Sierra Baseball Field	\$50	\$70	\$120	\$100
Golden Sierra Lower Practice Field	\$50	\$70	\$120	\$100
Georgetown Baseball Field	\$50	\$70	\$120	\$100
Northside Baseball Field	\$50	\$70	\$120	\$100
Field of Dreams	\$50	\$70	\$120	\$100
District Baseball Field	\$50	\$70	\$120	\$100
	2 Hours¹	4 Hours	Day Use	Security Deposit (refundable)
School Sites²				
Parking Lots	\$30	\$50	\$80	\$200
Classroom ²	\$110	\$210	\$370	\$200
Library ²	\$120	\$210	\$370	\$200
Kitchen ³	\$100	\$190	\$360	\$250
Golden Sierra MPR ²	\$140	\$250	\$470	\$200
Golden Sierra Gym ²	\$140	\$250	\$470	\$250
Georgetown Gym/MPR ²	\$110	\$200	\$390	\$200
Georgetown Amphitheater ²	\$110	\$200	\$390	\$200
Northside Gym/MPR ²	\$110	\$200	\$390	\$200

¹Rates are based on a 2 hour minimum

²Requires a Black Oak Mine USD custodian staff member at all events

³Requires a Black Oak Mine USD kitchen staff member at all events

Note:

Rates subject to change for Holidays and Sundays

Facility fees include direct capital costs and direct operational costs combined

Proof of liability insurance is required for all groups

Other Terms and Conditions may apply

Senate Bill No. 1404

CHAPTER 764

An act to amend, repeal, and add Section 38134 of the Education Code, relating to school property.

[Approved by Governor September 29, 2012. Filed with Secretary of State September 29, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1404, Hancock. School property: Civic Center Act.

Existing law, known as the Civic Center Act, authorizes a school district governing board to grant the use of school facilities or grounds as a civic center, for specified purposes, upon terms and conditions deemed proper by the governing board. Existing law authorizes a school district governing board to charge a fee, not to exceed the school district's direct costs, as defined, for use of the school facilities or grounds by entities that promote youth and school activities or that arrange for and supervise sports league activities for youths.

This bill, until January 1, 2020, would expand the definition of direct costs that a school district governing board may charge an entity for the use of school facilities or grounds to include a specified share of the operating and maintenance costs proportional to the entity's use of the school facilities or grounds under this provision and a share of the costs for maintenance, repair, restoration, and refurbishment of the school facilities or grounds proportional to that entity's use of school facilities or grounds, as specified. The bill would require the Superintendent of Public Instruction to develop, and the State Board of Education to adopt, regulations to be used by a school district in determining the proportionate share and the specific allowable costs that a school district may include as direct costs for the use of its school facilities or grounds. The bill would make other related changes.

SECTION 1.

(a) The Legislature finds and declares all of the following:

(1) In order to promote the Civic Center Act, it is the intent of the Legislature to encourage all school districts to maximize opportunities to make available and accessible public school facilities and grounds to their communities as civic centers.

(2) School districts make valuable contributions to their communities by providing needed space for recreational activities and are obligated to protect and preserve public school facilities and grounds for the safety and enjoyment of the pupils and community members who use the school facilities or grounds.

(3) School districts provide access to school facilities and grounds to organizations that promote physical activity, before and after school care, recreation, tutoring, and other activities that benefit the residents of those communities.

(4) The ability of school districts to maintain their facilities and grounds has been jeopardized due to severe budget cuts in recent years and the current economic climate in which school districts now operate.

(5) The costs directly incurred by a school district to maintain its facilities or grounds exceeds the operational costs associated with supplies, utilities, janitorial services, and services of school district employees that are necessitated by an organization's use of the school facilities or grounds.

(6) The "direct cost" to maintain school facilities and grounds also includes ongoing costs related to maintenance, repair, restoration, and refurbishment of the school facilities or grounds.

(b) It is therefore the intent of the Legislature to amend the Civic Center Act to authorize a school district to charge an organization using school facilities or grounds an amount proportional to the organization's use of the school facilities or grounds to maintain, repair, restore, and refurbish the school facilities or grounds and to limit the proportional costs related to maintenance, repair, restoration, and refurbishment to only a school's nonclassroom space and grounds.

SEC. 2.

Section 38134 of the Education Code is amended to read:

38134.

(a) (1) The governing board of a school district shall authorize the use of school facilities or grounds under its control by a nonprofit organization, or by a club or an association organized to promote youth and school activities, including, but not necessarily limited to, any of the following:

(A) The Girl Scouts; the Boy Scouts; Camp Fire USA; or the YMCA.

(B) A parent-teacher association.

(C) A school-community advisory council.

(2) This subdivision does not apply to a group that uses school facilities or grounds for fundraising activities that are not beneficial to youth or public school activities of the school district, as determined by the governing board.

(b) Except as otherwise provided by law, a governing board may charge an amount not to exceed its direct costs for use of its school facilities or grounds. A governing board that levies these charges shall first adopt a policy specifying which activities shall be charged an amount not to exceed direct costs.

(c) The governing board of a school district may charge an amount, not to exceed its direct costs for use of its school facilities or grounds by the entity using the school facilities or grounds, including a religious organization or church, that arranges for and supervises sports league activities for youths as described in paragraph (6) of subdivision (b) of Section 38131.

(d) The governing board of a school district that authorizes the use of school facilities or grounds for the purpose specified in paragraph (3) of subdivision (b) of Section 38131 shall charge the church or religious organization an amount at least equal to the school district's direct costs.

(e) In the case of an entertainment or a meeting where an admission fee is charged or contributions are solicited, and the net receipts are not expended for the welfare of the pupils of the school district or for charitable purposes, a charge equal to fair rental value shall be levied for the use of the school facilities or grounds.

(f) If the use of school facilities or grounds under this section results in the destruction of school property, the entity using the school facilities or grounds may be charged for an amount necessary to repay the damages, and further use of the facilities or grounds by that entity may be denied.

(g) As used in this section:

(1) "Direct costs" to the school district for the use of school facilities or grounds includes all of the following:

(A) The share of the costs of supplies, utilities, janitorial services, services of school district employees, and salaries paid to school district employees directly associated with the administration of this section to operate and maintain school facilities or grounds that is proportional to the entity's use of the school facilities or grounds under this section.

(B) The share of the costs for maintenance, repair, restoration, and refurbishment, proportional to the use of the school facilities or grounds by the entity using the school facilities or grounds under this section as follows:

(i) For purposes of this subparagraph, "school facilities" shall be limited to only nonclassroom space and "school grounds" shall include, but not be limited to, playing fields, athletic fields, track and field venues, tennis courts, and outdoor basketball courts.

(ii) The share of the cost for maintenance, repair, restoration, and refurbishment shall not apply to:

(I) Classroom-based programs that operate after school hours, including, but not limited to, after school programs, tutoring programs, or child care programs.

(II) Organizations retained by the school or school district to provide instruction or instructional activities to pupils during school hours.

(iii) Funds collected under this subparagraph shall be deposited into a special fund that shall only be used for purposes of this section.

(2) "Fair rental value" means the direct costs to the school district plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized.

(h) By December 31, 2013, the Superintendent shall develop, and the state board shall adopt, regulations to be used by a school district in determining the proportionate share and the specific allowable costs that a school district may include as direct costs for the use of its school facilities or grounds.

(i) (1) A school district authorizing the use of school facilities or grounds under subdivision (a) is liable for an injury resulting from the negligence of the school district in the ownership and maintenance of the school facilities or grounds. An entity using school facilities or grounds under this section is liable for an injury resulting from the negligence of that entity during the use of the school facilities or grounds. The school district and the entity using the school facilities or grounds under this section shall each bear the cost of insuring against its respective risks, and shall each bear the costs of defending itself against claims arising from those risks.

(2) Notwithstanding any other law, this subdivision shall not be waived. This subdivision does not limit or affect the immunity or liability of a school district under Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, for injuries caused by a dangerous condition of public property.

(j) This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

SEC. 3.

Section 38134 is added to the Education Code, to read:

38134.

(a) (1) The governing board of a school district shall authorize the use of school facilities or grounds under its control by a nonprofit organization, or by a club or an association organized to promote youth and school activities, including, but not necessarily limited to, any of the following:

(A) The Girl Scouts; the Boy Scouts; Camp Fire USA; or the YMCA.

(B) A parent-teacher association.

(C) A school-community advisory council.

(2) This subdivision does not apply to a group that uses school facilities or grounds for fundraising activities that are not beneficial to youth or public school activities of the school district, as determined by the governing board.

(b) Except as otherwise provided by law, a governing board may charge an amount not to exceed its direct costs for use of its school facilities or grounds. A governing board that levies these charges shall first adopt a policy specifying which activities shall be charged an amount not to exceed direct costs.

(c) The governing board of a school district may charge an amount, not to exceed its direct costs for use of its school facilities or grounds by the entity using the school facilities or grounds, including a religious

organization or church, that arranges for and supervises sports league activities for youths as described in paragraph (6) of subdivision (b) of Section 38131.

(d) The governing board of a school district that authorizes the use of school facilities or grounds for the purpose specified in paragraph (3) of subdivision (b) of Section 38131 shall charge the church or religious organization an amount at least equal to the school district's direct costs.

(e) In the case of an entertainment or a meeting where an admission fee is charged or contributions are solicited, and the net receipts are not expended for the welfare of the pupils of the school district or for charitable purposes, a charge equal to fair rental value shall be levied for the use of the school facilities or grounds.

(f) If the use of school facilities or grounds under this section results in the destruction of school property, the entity using the school facilities or grounds may be charged for an amount necessary to repay the damages, and further use of facilities or grounds by that entity may be denied.

(g) As used in this section:

(1) "Direct costs" to the school district for the use of school facilities or grounds means the costs of supplies, utilities, janitorial services, services of school district employees, and salaries paid to school district employees directly associated with the administration of this section necessitated by the entity's use of the school facilities or grounds.

(2) "Fair rental value" means the direct costs to the school district plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized.

(h) (1) A school district authorizing the use of school facilities or grounds under subdivision (a) is liable for an injury resulting from the negligence of the school district in the ownership and maintenance of the school facilities or grounds. An entity using school facilities or grounds under this section is liable for an injury resulting from the negligence of that entity during the use of the school facilities or grounds. The school district and the entity using the school facilities or grounds under this section shall each bear the cost of insuring against its respective risks and shall each bear the costs of defending itself against claims arising from those risks.

(2) Notwithstanding any other law, this subdivision shall not be waived. This subdivision does not limit or affect the immunity or liability of a school district under Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, for an injury caused by a dangerous condition of public property.

(i) This section is operative on and after January 1, 2020.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.6 American River Charter School Vendor Agreement(s)

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent
David Gleason, Director of American River Charter School

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the vendor agreement(s) for American River Charter School.

BACKGROUND: The following vendors have completed the required Independent Contractor Vendor Services Agreement Procedures. These agreements include proof of insurance certificate (minimum 2,000,000 coverage), W-9 form, fingerprint clearance, and rate of pay.

Vendor agreement(s) submitted:

Vanessa Lathrop - Foothill Dance

Scott Ziegler - Home School enrichment classes

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**MINUTES OF A REGULAR MEETING
OF THE BLACK OAK MINE UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
October 11, 2018**

CALL TO ORDER

The Meeting of the Board of Trustees was called to order by President Bill Drescher at 6:15 P.M. at 6540 Wentworth Springs Road, Georgetown, California.

PRESENT

President Bill Drescher, Clerk Darcy Knight, Trustee Jeff Burch, and Superintendent Jeremy Meyers. Vice President Joe Scroggins and Trustee Ronnie Ebitson arrived late.

**PUBLIC COMMENT ON
CLOSED SESSION ITEMS**

No comments

CLOSED SESSION

The Board met in Closed Session to discuss:

- 3.1 Confidential Student Matter – Interdistrict Appeal Hearing Student #027-18
- 3.2 Public Employee Employment - .75 FTE Special Education Teacher at Northside School – **Vote on in open session**
- 3.3 Short Term Employment – Boys Varsity Basketball Coach – **Vote on in open session**
- 3.4 Conference with Jeremy Meyers and Shelly King, District Labor Negotiators, regarding Labor negotiations with the Black Oak Mine Teachers Association and the California School Employees Association, Gold Chain Chapter #660
- 3.5 Superintendent Evaluation

OPEN SESSION

The Open Session of the Board convened at 7:19 P.M.

Present: Board members, Members of the audience (including staff/community)

**DISCLOSURE OF ACTION
TAKEN IN CLOSED SESSION**

- 3.1 Interdistrict Appeal Hearing Student #027-18 Denial Upheld
Vote: 3 to 0 Burch Y Knight Y Drescher Y Ebitson AB Scroggins AB
- 3.2 Will be voted on in open session under the Consent agenda
- 3.3 Will be voted on in open session under the Consent agenda
- 3.4 No action
- 3.5 No action

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bill Drescher.

**ADOPTION OF THE AGENDA
ACTION M-18-63**

It was moved by Jeff Burch, seconded by Joe Scroggins, and carried unanimously to adopt the agenda after moving item 18.3 from the Consent Agenda to item 17.4 under the New Business agenda.

Vote: 4 to 1 Burch Y Knight Y Drescher Y Ebitson Y Scroggins N

COMMUNICATIONS**Written Communications**

Bill Drescher read a thank you letter from Music on the Divide to the Black Oak Mine Unified School District.

Oral Communications

Carolyn Barla reported that the California Healthy Kids Survey is coming up. The GSHS Interact Club made poster for suicide prevention to be hung in the hall ways, the caramel apples and popcorn balls are being sold at the football games, and the Youth Expo is coming up on Sunday at Garden Valley Park.

**BLACK OAK MINE TEACHERS
ASSOCIATION REPORT**

BOMTA President reported to the Board of Trustees.

**CALIFORNIA SCHOOL
EMPLOYEES ASSOCIATION
REPORT**

CSEA was not present

**STUDENT REPRESENTATIVE
TO THE BOARD REPORT**

Briston Widmann gave a report to the Board of Trustees on the different activities taking place at the sites.

**FACILITIES, MAINTENANCE,
OPERATIONS, &
TRANSPORTATION REPORT**

Director Mark Koontz gave a report on FMOT.

**CHIEF BUSINESS OFFICIAL
REPORT**

Sid Albaugh, CBO, gave a report to the Board of Trustees.

ADMINISTRATOR'S REPORT

Wendy Westsmith, Georgetown School Principal, report on the upcoming GT Innovation Film Festival coming up. She invited all of the Board Members and the audience to attend.

Carrie Arnett, Northside School Principal, reported on the activities at the site to include the Fire Fighters who visited the site and showed the Rocky Rangers how to fold the American Flag, and the STEAM rotations.

Jeremy Meyers, Golden Sierra Junior Senior High School Principal, reported on the technology upgrades throughout the district and high school.

SUPERINTENDENT'S REPORT

Jeremy Meyers reported to the Board of Trustees.

**INFORMATION AND
DISCUSSION**

CSBA Board Policy/Board Bylaw Updates & Revisions

The Board of Trustees will consider reviewing and revising the updated CSBA Board Policies/Board Bylaws.

Adopted Budget Review Letter from El Dorado County Office of Education

The El Dorado County Office of Education 2018-19 Adopted Budget Review Letter was shared.

Williams Uniform Complaint Procedure

As required by Education Code 35186, the quarterly report of complaints received pursuant to the Williams Uniform Complaint Procedures is provided for information to the Board of Trustees. There were no complaints received for the period of July 1, 2018 through September 30, 2018.

NEW BUSINESS

Board Study Session Minutes August 7, 2018 ACTION M-18-64

It was moved by Jeff Burch, seconded by Joe Scroggins, and carried unanimously to approve the August 7, 2018 Board Study Session minutes.
Vote: 4-0-1 Burch Y Knight Y Drescher Y Ebitson Abstained Scroggins Y

Board Minutes August 9, 2018 ACTION M-18-65

It was moved by Ronnie Ebitson, seconded by Jeff Burch, and carried unanimously to approve the August 9, 2018 Board Minutes.
Vote: 4-0-1 Burch Y Knight Abstained Drescher Y Ebitson Y Scroggins Y

Board Minutes September 13, 2018 ACTION M-18-66

It was moved by Darcy Knight, seconded by Ronnie Ebitson, and carried unanimously to approve the September 13, 2018 Board Minutes.
Vote: 3-0-2 Burch Abstained Knight Y Drescher Y Ebitson Y Scroggins Abstained

CONSENT AGENDA
ACTION M-18-67

After item 18.3 was moved to the New Business agenda item 17.4, it was moved by Darcy Knight, seconded by Joe Scroggins, and carried unanimously to approve the consent agenda.
Vote: 5 to 0 Burch Y Knight Y Drescher Y Ebitson Y Scroggins Y

American River Charter School Vendor Agreement(s)

Approved the American River Charter School vendor agreement(s) for the 2018-19 school year.

Personnel Action – Public Employment Employee

Approved the .75 FTE Special Education Teacher at Northside School

Personnel Action – Short Term Employment

Approved the coach for the Boys Varsity Basketball Team

Purchase Orders, Warrants, Bids and Quotes

Approved the 2018-19 fiscal year Batch numbers 0012-0020 dated September 5, 2018 to September 26, 2018 for General Fund, Charter School Fund, Cafeteria Fund, Building Fund, and School Facilities Fund, for a total of \$592,988.70, be approved.

Gifts

Accepted the gifts donated

Field Trip

Approved the overnight field trip

REPORTS OF THE BOARD OF TRUSTEES

Board Members gave reports

FUTURE MEETINGS

The next special meeting of the Board is November 6, 2018 at 6:00 P.M. at Golden Sierra Junior Senior High School.

The next regular meeting of the Board is November 8, 2018 at 7:00 P.M. at the District Office.

ADJOURNMENT

The meeting was adjourned at 9:03 P.M.

Respectfully submitted,

Jeremy Meyers
Superintendent

Bill Drescher
President of the Board

Date

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.8 Purchase Orders, Warrants, Bids and Quotes

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that 2018-19 fiscal year Batch numbers 0021-0029 dated October 4, 2018 to October 25, 2018 for General Fund, Charter School Fund, Cafeteria Fund, Building Fund, and School Facilities Fund, for a total of \$486,524.92 be approved.

BACKGROUND: Copies of Warrants which are provided under separate cover for Board of Trustees approvals includes the following:

Fund Name and Number	Amount
General Fund 01	\$434,393.77
Charter School Fund 09	\$15,877.70
Cafeteria Fund 13	\$15,869.33
Deferred Maintenance Fund 14	\$13,880.48
Developer Fees Fund 25	\$2,554.00
Enterprise Fund 63	\$2,749.64
Foundation Trust Fund 73	\$1,200.00
Total	\$486,524.92

PROFIT AND LOSS STATEMENT

For the year ended 31st December 1988

	1988	1987
Revenue	1000	950
Cost of sales	(600)	(580)
Gross profit	400	370
Operating expenses	(250)	(240)
Operating profit	150	130
Finance income	10	15
Finance charges	(5)	(10)
Profit before tax	155	135
Income tax	(30)	(25)
Profit after tax	125	110

	1988	1987
Revenue	1000	950
Cost of sales	(600)	(580)
Gross profit	400	370
Operating expenses	(250)	(240)
Operating profit	150	130
Finance income	10	15
Finance charges	(5)	(10)
Profit before tax	155	135
Income tax	(30)	(25)
Profit after tax	125	110

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.9 Gifts

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the board of trustees consider taking action to accept the gifts donated.

BACKGROUND: The following gifts are being donated:

John Harmon donated \$100.00 to be used towards the purchase of Ukuleles at Northside School.

Crystal Miller, Miller Mechanical, donated \$5,000.00 to be used towards the GSHS Score Board Project.

Jo Crandall donated a brand new Xerox Versalink B405 printer to American River Charter School. It is valued at \$800.00 + tax. This is to be used in whatever way American River Charter School feels it would best serve the students and staff.


Pursuant to District practice, the Board of Trustees may accept on behalf of and for the District, any bequest, gift of money, or gift of property that is presented to the District. The donor may request that the donation be used for a specific program or at a specific school site. A letter of appreciation will be sent to the donor.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

6540 Wentworth Springs Road
Georgetown, CA 95634
(530) 333-8300
Fax: (530) 333-8303
Website: bomusd.org

Request for Board Acceptance of Gift

To:	Jeremy Meyers, Superintendent
From:	Northside
Re:	Request for Board Acceptance of Gift
Date:	10/12/18
Description of Gift:	Cash donation
Donor Estimated Value:	\$ 100.00
Donated By:	John Harmon
Mailing Address:	1170 Graceland Place Pilot Hill, CA. 95664
Donor Requests Gift To Be Used At/For:	Purchase of ukuleles

Signature: 

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

6540 Wentworth Springs Road
Georgetown, CA 95634
(530) 333-8300
Fax: (530) 333-8303
Website: bomusd.org

Request for Board Acceptance of Gift

To:	Black Oak mine unified School District
From:	Miller Mechanical
Re:	Request for Board Acceptance of Gift
Date:	10-17-18
Description of Gift:	5000.00 Check
Donor Estimated Value:	\$ 5000.00 Check
Donated By:	Crystal Miller
Mailing Address:	3580 Anwahnee way Cool, CA 95614
Donor Requests Gift To Be Used At/For:	Score Board project at GSHS

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

6540 Wentworth Springs Road
Georgetown, CA 95634
(530) 333-8300
Fax: (530) 333-8303
Website: bomusd.org

Request for Board Acceptance of Gift

To:	Jeremy Meyers, Superintendent
From:	David Gleason
Re:	Request for Board Acceptance of Gift
Date:	October 29, 2018
Description of Gift:	Xerox Versalink B405 - Brand New in box
Donor Estimated Value:	\$ 800.00 + tax
Donated By:	Jo Crandall
Mailing Address:	P.O. Box 701 Garden Valley, CA 95633
Donor Requests Gift To Be Used At/For:	This item was donated to us to use in whatever way we felt would best serve the students/staff at American River Charter School.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.10 Field Trips

MEETING DATE: November 8, 2018

FROM: Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees approve the overnight field trips.

BACKGROUND: Field trip request forms for trips over 200 miles radius one way or overnight are due to the district office 45 days prior to requested departure. These trips are required to have board approval.

The following trip(s) are being requested:

GSHS Wrestling Team will travel to Chico High School for a tournament on January 3, 2019 and return on January 5, 2019.

Northside STEAM School 4th and 5th grade classes will attend the Coloma Outdoor Discovery School in Coloma to study California's History before, during, and after the Gold Rush. The 5th grade class will study sciences and participate in team building activities such as a challenge ropes course. Students will leave on January 28, 2019 and return on January 30, 2019.

GSHS Wrestling Team will travel to Stockton for a tournament on February 15, 2019 and return on February 16, 2019.

**BLACK OAK MINE UNIFIED SCHOOL DISTRICT
FIELD TRIP REQUEST FORM**

FOR LOCAL TRIPS, FORMS ARE DUE TO SCHOOL OFFICE AT LEAST 20 DAYS PRIOR TO DEPARTURE. FORMS FOR TRIPS OVER A 200 MILE RADIUS ONE WAY OR OVERNIGHT ARE DUE 45 DAYS PRIOR TO REQUESTED DEPARTURE. (Exceptions are made for league changes in athletic schedules and playoffs.)

Date leaving: 1/3/19 Destination: Chico High
 Date returning: 1/5/19 Time leaving: 5:00 pm
 School: GSHS Dept.: Athletics Club or Org.: Wrestling
 Trip Supervisor: Arena # of Students: 15 # of Staff: 1 # of Chaperones:
Print Name
 Place of Departure: GSHS
 Mode of Transportation: Walking School Bus School Van Public Transportation Private vehicles
 Total Estimated Cost of Trip: Funding Source:

FOR TRIPS OTHER THAN EXTRA CURRICULAR

Educational purpose of trip and relationship to class or group curriculum:

 Lead up activities, trip activities, and follow up activities:

FOR TRIPS USING SCHOOL BUSES

Itinerary (Please include all stops, approximate times of stops and phone number of destination if bus parking needs to be arranged.) If unanticipated stops are needed, i.e. student sickness, rest stops, etc., bus driver has the authority to change the itinerary. SCHOOL BUSES ARE ALLOWED TO STOP ONLY AT DESIGNATED STOPS AS LISTED IN THE ITINERARY.

Dinner Stop?

For Transportation Department Use Only
 Driver: Van# Bus #
 Leave A.M. P.M. Leave A.M. P.M.
 Return A.M. P.M. Return A.M. P.M.
 Total Hours Total Hours

ODOMETER READING (MILEAGE)

Ending
 Beginning
 Total Miles
 Total Wages \$
 Total Mileage \$
 TOTAL CHARGES \$

BILLING:
 Hours O.T. Miles
 Rate @ \$ Rate @ \$ Rate @ \$
 Total \$ \$ \$

Transportation Department Signature:
 Reason for Denial:

Date Approved Denied

Requested by: Keith Bush Keith Bush Date: 10/4/18
Print Name Signature
 Principal/Site Administrator Signature: Date 10/11 Approved Denied
 Superintendent's Signature: Date 10/11 Approved Denied
 Date of Board Action (for overnight trips or over 200 mile radius one way): Approved Denied
 Reason for Denial:

**BLACK OAK MINE UNIFIED SCHOOL DISTRICT
FIELD TRIP REQUEST FORM**

FOR LOCAL TRIPS, FORMS ARE DUE TO SCHOOL OFFICE AT LEAST 20 DAYS PRIOR TO DEPARTURE. FORMS FOR TRIPS OVER A 200 MILE RADIUS ONE WAY OR OVERNIGHT ARE DUE 45 DAYS PRIOR TO REQUESTED DEPARTURE. (Exceptions are made for league changes in athletic schedules and playoffs.)

Date leaving: January 28, 2019 Destination: Coloma Outdoor Discovery School
 Date returning: January 30, 2019 Time leaving: 10:00 am.
 Est. time of return: 1:00 p.m.
 School: Northside STEAM School Dept.: _____ Club or Org.: _____
 Trip Supervisor: Suzanne Chaves # of Students: 96 # of Staff: 3-4 # of Chaperones: 16
 Place of Departure ^{Print Name} Northside
 Mode of Transportation: Walking _____ School Bus _____ School Van _____ Public Transportation _____ Private vehicles
 Total Estimated Cost of Trip: \$23,355.00 Funding Source: Parent Pay/Fundraising

FOR TRIPS OTHER THAN EXTRA CURRICULAR

Educational purpose of trip and relationship to class or group curriculum:
Living history - Gold Rush - 4th grade
Science/ Challenge Ropes course - 5th grade
 Lead up activities, trip activities, and follow up activities: Study of California history before, during, and after Gold Rush
Science studies/ Team building activities

FOR TRIPS USING SCHOOL BUSES

Itinerary (Please include all stops, approximate times of stops and phone number of destination if bus parking needs to be arranged.) If unanticipated stops are needed, i.e. student sickness, rest stops, etc., bus driver has the authority to change the itinerary. SCHOOL BUSES ARE ALLOWED TO STOP ONLY AT DESIGNATED STOPS AS LISTED IN THE ITINERARY.
Northside School to Coloma N/A

For Transportation Department Use Only
 Driver: _____ Van# _____ Bus # _____
 Leave _____ A.M. _____ P.M. Leave _____ A.M. _____ P.M.
 Return _____ A.M. _____ P.M. Return _____ A.M. _____ P.M.
 Total Hours _____ Total Hours _____
BILLING:
 Hours _____ O.T. _____ Miles _____
 Rate @ \$ _____ Rate @ \$ _____ Rate @ \$ _____
 Total \$ _____ \$ _____ \$ _____
 Transportation Department Signature: _____
 Reason for Denial: _____

ODOMETER READING (MILEAGE)
 Ending _____
 Beginning _____
 Total Miles _____
 Total Wages \$ _____
 Total Mileage \$ _____
 TOTAL CHARGES \$ _____
 Date _____ Approved _____ Denied _____

Requested by: Suzanne Chaves Suzanne Chaves Date: 10-2-18
 Print Name Signature
 Principal/Site Administrator Signature: _____ Date _____ Approved _____ Denied _____
 Superintendent's Signature: _____ Date _____ Approved _____ Denied _____
 Date of Board Action (for overnight trips or over 200 mile radius one way): _____ Approved _____ Denied _____
 Reason for Denial: _____

**BLACK OAK MINE UNIFIED SCHOOL DISTRICT
FIELD TRIP REQUEST FORM**

FOR LOCAL TRIPS, FORMS ARE DUE TO SCHOOL OFFICE AT LEAST 20 DAYS PRIOR TO DEPARTURE. FORMS FOR TRIPS OVER A 200 MILE RADIUS ONE WAY OR OVERNIGHT ARE DUE 45 DAYS PRIOR TO REQUESTED DEPARTURE. (Exceptions are made for league changes in athletic schedules and playoffs.)

Date leaving: 2/15/19 Destination: Stockton
 Date returning: 2/16/19 Time leaving: 5:00 pm
 Est. time of return: 8:00 pm
 School: GSHS Dept.: Athletics Club or Org.: Wrestling
 Trip Supervisor: Arena # of Students: 15 # of Staff: 1 # of Chaperones:
Print Name
 Place of Departure: GSHS
 Mode of Transportation: Walking School Bus School Van Public Transportation Private vehicles
 Total Estimated Cost of Trip: Funding Source:

FOR TRIPS OTHER THAN EXTRA CURRICULAR

Educational purpose of trip and relationship to class or group curriculum:

 Lead up activities, trip activities, and follow up activities:

FOR TRIPS USING SCHOOL BUSES

Itinerary (Please include all stops, approximate times of stops and phone number of destination if bus parking needs to be arranged.) If unanticipated stops are needed, i.e. student sickness, rest stops, etc., bus driver has the authority to change the itinerary. SCHOOL BUSES ARE ALLOWED TO STOP ONLY AT DESIGNATED STOPS AS LISTED IN THE ITINERARY.

Dinner stop?

For Transportation Department Use Only
 Driver: Van# Bus #
 Leave A.M. P.M. Leave A.M. P.M.
 Return A.M. P.M. Return A.M. P.M.
 Total Hours Total Hours

ODOMETER READING (MILEAGE)

Ending
 Beginning
 Total Miles
 Total Wages \$
 Total Mileage \$
 TOTAL CHARGES \$

BILLING:

Hours O.T. Miles
 Rate @ \$ Rate @ \$ Rate @ \$
 Total \$ \$ \$

Transportation Department Signature:
 Reason for Denial:

Date Approved Denied

Requested by: Keith Bush
Print Name

Keith Bush Date: 10/4/18
Signature

Principal/Site Administrator Signature:
 Superintendent's Signature:

Date 10/11 Approved Denied
 Date 10/11 Approved Denied

Date of Board Action (for overnight trips or over 200 mile radius one way):
 Reason for Denial:

Approved Denied