

**CLEAR CREEK ELEMENTARY SCHOOL DISTRICT
REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES
17700 McCourtney Road
Grass Valley, CA 95949
April 9, 2024
Open Session 4:30PM
Clear Creek School, Library
AGENDA**

- **Open Session**
- **Roll Call**
- **Pledge of Allegiance**
- **Members of the Public**

Members of the audience wishing to address an agenda item shall make this known to the Superintendent before the Board Meeting has begun. After being recognized by the Board president, please identify yourself. A member of the public may at this time make brief comments regarding items not on the agenda. Please limit comments to 3 minutes.

State law prohibits the board from addressing issues not included on the agenda; however, requests may be made for discussion of specific topics at subsequent meetings. Discussion of personnel matters is inappropriate in open session; such matters should first be brought to the attention of the Superintendent. Due to time considerations, the chair may request that comments by an individual be limited to 3 minutes.

- **Members of the Staff**

A. Action Items

- 1. Approval of Agenda**
- 2. Approval of Consent Agenda**

Discussion/Action. These items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion unless a trustee or citizen requests that an item be removed for discussion and separate consideration. In that case, the designated item(s) will be considered following approval of the remaining items.

2.1 Approval of bills in the amount of \$39,897.61

2.2 Approval of March 12, 2024 Board Minutes

2.3 Approval of 2023-2024 Williams Uniform Complaint Summary, QTR 3

2.4 Approval of Personnel Assignment Order No. 2324-03

New Business/Action Items

- 3. Consideration of Approval of Surplus of Oven Range**
- 4. Consideration of approval of BP/AR 1312.2 Complaints Concerning Instructional Materials**
- 5. Consideration of Approval of BP/AR 1312.3 Uniform Complaint Procedures.**
- 6. Consideration of Approval of AR 1312.4 Williams Uniform Complaint Procedures.**
- 7. Consideration of Approval of BP 0410 Nondiscrimination In District Programs and Activities**
- 8. Consideration of Approval of BP 6163.1 Library Media Centers**

B. Information/Discussion Items

1. First Reading of BPs and ARs impacted by AB 1078
 - BP & AR 5131.2 Bullying (new)
 - BP & AR 5145.3 Nondiscrimination/Harassment (revised)
 - BP & AR 6161.1 Selection and Evaluation of Instructional Materials (revised)
2. 2024 LCAP results
3. Letter from Scott W. Lay for First Period Interim Submission

C. Reports

1. Superintendent/Principal Report

- Interdistrict Transfers 0-In 0-Out
- School Updates
- Staffing
- Other

2. Business Official Report

- Other

3. Board Report

- Other

D. Adjournment

Next Board Meeting:

Date: May 14, 2024 @ 4:30PM

Clear Creek Elementary School District

This agenda was posted at least 72 hours in advance of the meeting at Clear Creek School. Agenda is posted on the Clear Creek School public bulletin board, Lakewood Community bulletin board, and the school website. **SMcK**
Notice: The agenda packet and supporting materials can be viewed online at www.clearcreekschool.org or at the Clear Creek Elementary School District office –located at 17700 McCourtney Rd. Grass Valley, CA. For more information, please call 530.273.3664.

Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
24-544821	03/01/2024	Atkinson Andelson Loya Ruud Romo	01-5802	Jan24 Legal Fees		1,176.00
24-544822	03/01/2024	ATT	01-5930	2/14/24-3/13/24 Internet		978.67
24-544823	03/01/2024	Document Tracking Services	01-5800	3/15/24-3/15/25 Doc Tracking		425.00
24-544824	03/01/2024	J.J.R. ENTERPRISES INC FILE 2388	01-5650	Copier Lease		15.00
24-544825	03/01/2024	Suburban Propane	01-5510	Propane Fillups		17.00
24-544826	03/01/2024	US Bank Corporate Pymt Systems	01-4300	2023/2024 Intervention Budget		92.74
				2023/2024 Library Budget		54.47
				3rd 2023/2024 Budget		107.57
				Amazon Maintenance Supplies		30.94
				Emergency Student Clothes		93.07
				Staples Office Supplies		100.99
				Student Technology Supplies		328.82
				Casho Leave Training		210.00
				Stamps		19.65
24-545108	03/08/2024	CARIAGA, JENNIFER L	01-4300	5th 2023/2024 Budget		1,038.25
24-545109	03/08/2024	ATT	01-5930	1/28/24-2/27/24 Phone		170.16
24-545110	03/08/2024	Builders and Consumers	01-4300	Maintenance Supplies		198.46
24-545111	03/08/2024	Crammer Engineering Inc.	01-5800	Water Testing		21.24
24-545112	03/08/2024	Lauri Diei	01-5800	Jan/Feb24 Admin Sec Training		800.00
				Nov/Dec23 Admin Sec Training		130.00
24-545113	03/08/2024	School Steps Inc	01-5800	Feb24 Speech		230.00
24-545466	03/15/2024	GROOM, RAY J	01-5220	Feb24 Maint Mileage		4,280.00
24-545467	03/15/2024	Bear River High School	01-5861	Middle School Boys Bball Tourney		35.51
24-545468	03/15/2024	Clear Creek School District	01-5800	Wellness to be reimb		125.00
24-545469	03/15/2024	Grass Valley Child Nutrition	01-4300	Camp Cougar Snacks		400.00
24-545470	03/15/2024	Schools Insurance Group	01-9514	March24 Benefits		254.02
24-545471	03/15/2024	Suburban Propane	01-5510	March24 Benefits		8,622.50
24-545472	03/15/2024	Verizon	01-5930	Propane Fillups		251.85
24-545473	03/15/2024	Waste Management of Nevada Co	01-5570	Feb24 Cell Phone		52.14
24-545474	03/15/2024	Grass Valley Child Nutrition	13-5800	March24 Garbage		478.12
24-545912	03/22/2024	TYGART, KINDELL B	01-5220	Feb24 Meals		5,608.00
24-545913	03/22/2024	Nevada County Supt of Schools	01-5800	March24 CBO Mileage		26.40
				23/24 GASB 68		350.00
				23/24 School Messenger		243.32
				Network Segment Modification		1,900.00
				23/24 Escape Billing #1		2,620.54
				Nursing Services 11/30/23-2/28/24		3,000.00
				Boys Bball Ref Fee		381.25

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
24-545913	03/22/2024	Nevada County Supt of Schools	01-5861	Girls Bball Ref Fee	585.00	9,080.11
24-545914	03/22/2024	Pacific Gas and Electric	01-5520	2/12/24-3/12/24 Electric		9.85
24-546293	03/29/2024	DYKES, AKASHA K	01-4300	8th 2023/2024 Budget		283.09
24-546294	03/29/2024	ATT	01-5930	3/14/24-4/13/24 Internet		978.67
24-546295	03/29/2024	De Lage Landen Financial Svcs	01-5650	Printer Lease		652.95
24-546296	03/29/2024	Everguard Systems	01-5800	Security System Monitoring		150.00
24-546297	03/29/2024	J.J.R. ENTERPRISES INC FILE 2388	01-5650	Copier Lease		184.28
24-546298	03/29/2024	Myers Restaurant Supply	01-4400	Cafe Custom Sink Parts		107.50
24-546299	03/29/2024	Nevada County Supt of Schools	01-5100	Dec23/Jan24 Excess Trans		1,949.57
24-546300	03/29/2024	Pacific Gas and Electric	01-5520	2/12/24-3/12/24 Electric		105.10
24-546301	03/29/2024	Waxie Sanitary Supply	01-4300	Janitorial Supplies		410.67
24-546302	03/29/2024	Navo Sons Inc	14-5600	Small Tank Pumping		652.50
Total Number of Checks					34	39,897.61

Fund Summary

Fund	Description	Check Count	Expensed Amount
01	GENERAL FUND	32	33,637.11
13	CAFETERIA	1	5,608.00
14	DEFERRED MAINTENANCE F	1	652.50
Total Number of Checks		34	39,897.61
Less Unpaid Sales Tax Liability			.00
Net (Check Amount)			39,897.61

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

**CLEAR CREEK ELEMENTARY SCHOOL DISTRICT
BOARD MEETING OF THE BOARD OF TRUSTEES
March 12, 2024
REGULAR BOARD MEETING
Minutes**

DRAFT

Board Members Present: Rudy Marrero, Patsy Hannebrink, Jerily McCormick and Nancy Messier were present. Bart Riebe was absent.

Secretary Present: Duane Triplett

Recording Secretary Present: Sara McKinnon

- **Open Session**
Open session was called to order at 4:30PM
- **Roll Call**
Roll call was taken. Rudy Marrero, Patsy Hannebrink, Jerily McCormick and Nancy Messier were present. Bart Riebe was absent
- **Pledge of Allegiance-All recited**
- **Members of the Public**
 - No members of the public
- **Members of the Staff**
 - Kindell Tygart
 - Jennifer Carriaga

A. Action Items

1. Approval of Agenda

Motion: Jerily McCormick **Second:** Nancy Messier

The motion to accept the agenda was approved.

Motion carried: 4 ayes. Bart Riebe was absent.

2. Approval of Consent Agenda

Motion: Bart Riebe **Second:** Jerily McCormick

The motion to accept the consent agenda items 2.1(bills) 2.2(minutes), 2.3 (March Surplus List) was approved.

Motion carried: 4 ayes. Bart Riebe was absent.

New Business-Action Items

- 1. Consideration of approval of Services between Michelle Hanson-Auditor and CCESD dated February 12, 2024.**

Motion: Jerily McCormick Second: Nancy Messier

Our Annual Contract with Michelle Hanson to provide our auditing services was renewed.

The motion to approve Services between Michelle Hanson-Auditor and CCESD dated February 12, 2024 was approved.

Motion Carried : 4 ayes. Bart Riebe was absent

- 2. Consideration of Approval of the CCESD 2023-2024 Second Interim Budget**

Motion: Rudy Marrero Second: Jerily McCormick

Second Interim was presented using the latest COLA and estimates from School Services. All negotiated salaries are included in the current and out years. Budget will be affected by projected low COLA but we will be entering it in a good financial position.

The motion to approve the CCESD 2023-2024 Interim Budget was approved.

Motion Carried : 4 ayes. Bart Riebe was absent

- 3. Consideration of Approval of Resolution 23-24-05 to Adopt the Second Interim Budget for 2023-2024**

Motion: Nancy Messier Second: Jerily McCormick

Roll Call: Rudy Marrero, Patsy Hannebrink, Jerily McCormick and Nancy Messier. 4 Ayes. Bart Riebe was absent.

The motion to approve Resolution 23-24-05 to Adopt the Second Interim Budget for 2023-2024 was approved.

Motion Carried: Motion carried: 4 ayes. Bart Riebe was absent.

B. Information/Discussion Items

1. LCAP Survey went out one more time for more responses.
2. Form 700-All completed but 1 Board Member
3. BPs and ARs impacted by AB 1078 going to consideration in April:
 - First Reading-BP 1312.2 Complaints Concerning Instructional Materials
 - First Reading-AR1312.2 Complaints Concerning Instructional Materials
 - First Reading-BP 1312.3 Uniform Complaint Procedures
 - First Reading-AR 1312.3 Uniform Complaint Procedures
 - First Reading -AR 1312.4 Williams Uniform Complaint Procedures
 - First Reading- BP 0410 Nondiscrimination In District Programs and Activities
 - First Reading- BP 6163.1 Library Media Centers

C. Reports

- 1. Superintendent/Principal Report**
Interdistrict Transfers – 0 In and 0 Out

- School Updates: The most AR points ever were earned and the winners got S'Mores. Remodeling of the kitchen will begin before Spring Break, as well as some bathroom improvements.
 - Staff Updates: Sara Herring may not be returning as our PE Teacher next year and Emily Smith may not be coming back as well. Hopefully we will be able to do some hiring in May or June.
 - Other: Nothing to Report
2. **Business Official Report**
 - Nothing to Report
 3. **Board Report**
 - Nothing to Report

D. Adjournment

- **Adjournment**
Motion: Jerily McCormick Second: Nancy Messier
The motion to adjourn the open session at 5:21 PM was approved
Motion carried: 4 ayes. Bart Riebe was absent.

**Next Board Meeting:
Regular Board Meeting
April 9, 2024 @ 4:30PM
Clear Creek Elementary School District**

This agenda was posted at least 72 hours in advance of the meeting at Clear Creek School. Agenda is posted on the Clear Creek School public bulletin board, Lakewood Community bulletin board, and the school website. LHV

Notice: The agenda packet and supporting materials can be viewed online at www.clearcreekschool.org or at the Clear Creek Elementary School District office –located at 17700 McCourtney Rd. Grass Valley, CA. For more information, please call 530.273.3664.

Clear Creek Elementary School District

2023/2024 Williams Uniform Complaint Summary

(Prepared in accordance with the provisions of Ed. Code 35186(d).)

Quarter Three: January 1, 2024 – March 31, 2024

Number of Complaints: 0

Nature of Complaints:

Resolution of Complaints:

I hereby certify that, to the best of my knowledge and belief, this report is true and correct, and that all data has been complied with and reported in accordance with state laws and regulations.

Superintendent

Date

Clear Creek Elementary School District
PERSONNEL ASSIGNMENT ORDER NO. 2324-03

New Hire:

N/A

Change of Status:

Poppi Lebarron – Cafeteria Aide

Step 9 Increase 0.125 FTE

Resignations:

Sarah Herring – PE Teacher – Resigned Effective 6/30/24

Emily Smith – 6th Grade Teacher – Resigned Effective 6/30/24

Stipends:

N/A

Clear Creek Elementary School District

Surplus List: April 2024

Memo: The below items are requested for surplus based on the following. The kitchen was remodeled over Spring Break in order to provide higher quality food for Clear Creek Students. Duane and Ray removed a non-working oven range.

Surplus Request:

- Oven Range

Complaints Concerning Instructional Materials

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of district staff, parents/guardians, and community members, and, as appropriate, students. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their child's teacher and/or the school Principal/Superintendent. If the situation remains unresolved, a complaint may be filed using the process specified in the accompanying administrative regulation and exhibit.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of children enrolled in a district school. (Education Code 35160)

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

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

The Principal/Superintendent, or any designee or committee established by the Principal/Superintendent to review the materials, shall not prohibit the continued use of an appropriately adopted textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library on the basis that it contains inclusive and/or diverse perspectives, as specified in Education Code 243.

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

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

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

Legal Reference

State Description

- 5 CCR 4600-4670 Uniform complaint procedures
- Ed. Code 1240 County superintendent of schools; duties
- Ed. Code 18111 Exclusion of books by Governing board that are sectarian, partisan, or denominational character
- Ed. Code 220 Prohibition of discrimination
- Ed. Code 242 Access to information about educational laws and policies regarding right to accurate and inclusive curriculum
- Ed. Code 243 Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials
- Ed. Code 35010 Control of district; prescription and enforcement of rules
- Ed. Code 35160 Powers and duties of school boards
- Ed. Code 35186 Williams uniform complaint procedures
- Ed. Code 44805 Teacher enforcement of course of studies; use of textbooks, rules and regulations
- Ed. Code 48907 Exercise of free expression; time, place and manner rules and regulations
- Ed. Code 48950 Speech and other communication
- Ed. Code 51204.5 Social sciences instruction; contributions of specified groups
- Ed. Code 51501 Nondiscriminatory subject matter
- Ed. Code 51511 Religious matters properly included in courses of study
- Ed. Code 51933 Sexual health education and HIV prevention materials
- Ed. Code 60000-60005 Instructional materials; legislative intent
- Ed. Code 60040-60052 Requirements for instructional materials
- Ed. Code 60119 Public hearing on sufficiency of textbooks and instructional materials
- Ed. Code 60200-60213 Elementary school materials
- Ed. Code 60226 Requirements for publishers and manufacturers
- Ed. Code 60400-60411 High school textbooks and instructional materials
- Ed. Code 60510-60511 Donation or sale of obsolete instructional materials

Management Resources Description

- California Department of Education Publication Instructional Materials, FAQ
- California Department of Education Publication Standards for Evaluating Instructional Materials for Social Content, 2013
- Website CSBA District and County Office of Education Legal Services
- Website Department of Justice
- Website California Department of Education, Curriculum and Instruction Resources
- Website CSBA
- Website U.S. Department of Education, Office for Civil Rights

Cross References

Code Description

- 0410 Nondiscrimination In District Programs And Activities

1100 Communication With The Public
1250 Visitors/Outsiders
1250 Visitors/Outsiders
1312.1 Complaints Concerning District Employees
1312.1 Complaints Concerning District Employees
1312.3 Uniform Complaint Procedures
1312.3 Uniform Complaint Procedures
1312.3-E(1) Uniform Complaint Procedures
1312.3-E(2) Uniform Complaint Procedures
1312.4 Williams Uniform Complaint Procedures
1312.4-E(1) Williams Uniform Complaint Procedures
1312.4-E(2) Williams Uniform Complaint Procedures
5145.3 Nondiscrimination/Harassment
5145.3 Nondiscrimination/Harassment
6000 Concepts And Roles
6141 Curriculum Development And Evaluation
6141 Curriculum Development And Evaluation
6142.6 Visual And Performing Arts Education
6142.92 Mathematics Instruction
6142.94 History-Social Science Instruction
6143 Courses Of Study
6143 Courses Of Study
6144 Controversial Issues
6161.1 Selection And Evaluation Of Instructional Materials
6161.1 Selection And Evaluation Of Instructional Materials
6161.1-E(1) Selection And Evaluation Of Instructional Materials
6161.11 Supplementary Instructional Materials
6161.2 Damaged Or Lost Instructional Materials
6163.1 Library Media Centers
9000 Role Of The Board
9005 Governance Standards
9012 Board Member Electronic Communications
9200 Limits Of Board Member Authority
9322 Agenda/Meeting Materials

Adopted:

Complaints Concerning Instructional Materials

Step 1: Informal Complaint

If a staff member, district resident, or parent/guardian of a student enrolled in a district school has a complaint regarding the content or use of any specific instructional material, such individual shall informally discuss the material in question with the principal. (Education Code 35160)

Step 2: Formal Complaint

If the complainant is not satisfied with the principal's initial response, the complainant shall present a written complaint to the principal. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection and location of such material shall be given. In order for the district to reply appropriately, complainants shall sign all complaints and provide identifying information. Anonymous complaints will not be accepted.

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

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

Step 3: Review Committee

The Superintendent or designee shall determine whether to convene a review committee to review the complaint.

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

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

Within 30 days of being convened, the review committee shall summarize its findings in a written report. The Superintendent or designee shall notify the complainant in writing of the committee's decision within 15 days of receiving the committee's report.

Step 4: Superintendent Determination

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

Step 5: Appeal to the Governing Board

If the complainant remains unsatisfied, the complainant may appeal the Superintendent's or review committee's decision to the Board. The Board's decision shall be final.

Legal Reference

State Description

5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 18111	Exclusion of books by Governing board that are sectarian, partisan, or denominational character
Ed. Code 220	Prohibition of discrimination
Ed. Code 242	Access to information about educational laws and policies regarding right to accurate and inclusive curriculum
Ed. Code 243	Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials
Ed. Code 35010	Control of district; prescription and enforcement of rules
Ed. Code 35160	Powers and duties of school boards
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 44805	Teacher enforcement of course of studies; use of textbooks, rules and regulations
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 51511	Religious matters properly included in courses of study
Ed. Code 51933	Sexual health education and HIV prevention materials
Ed. Code 60000-60005	Instructional materials; legislative intent

Ed. Code 60040-60052 Requirements for instructional materials
 Ed. Code 60119 Public hearing on sufficiency of textbooks and instructional materials
 Ed. Code 60200-60213 Elementary school materials
 Ed. Code 60226 Requirements for publishers and manufacturers
 Ed. Code 60400-60411 High school textbooks and instructional materials
 Ed. Code 60510-60511 Donation or sale of obsolete instructional materials
 Management Resources Description
 California Department of Education Publication Instructional Materials, FAQ
 California Department of Education Publication Standards for Evaluating Instructional Materials for Social
 Content, 2013
 Website CSBA District and County Office of Education Legal Services
 Website Department of Justice
 Website California Department of Education, Curriculum and Instruction Resources
 Website CSBA
 Website U.S. Department of Education, Office for Civil Rights

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
1100	Communication With The Public
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6000	Concepts And Roles
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.6	Visual And Performing Arts Education
6142.92	Mathematics Instruction
6142.94	History-Social Science Instruction

- 6143 Courses Of Study
- 6143 Courses Of Study
- 6144 Controversial Issues
- 6161.1 Selection And Evaluation Of Instructional Materials
- 6161.1 Selection And Evaluation Of Instructional Materials
- 6161.1-E(1) Selection And Evaluation Of Instructional Materials
- 6161.11 Supplementary Instructional Materials
- 6161.2 Damaged Or Lost Instructional Materials
- 6163.1 Library Media Centers
- 9000 Role Of The Board
- 9005 Governance Standards
- 9012 Board Member Electronic Communications
- 9200 Limits Of Board Member Authority
- 9322 Agenda/Meeting Materials

Adopted:

Uniform Complaint Procedures

New
BP 1312.3

Community Relation

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

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

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, after school education and safety programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, consolidated categorical aid programs, and any other district-implemented program which is listed in Education Code 64000(a) (5 CCR 4610)
2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

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

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)
5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)
6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)
7. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
8. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)
8. Any complaint, by or on behalf of a former juvenile court school student who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in the juvenile court school or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)
9. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)
10. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)
11. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
12. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would

feel compelled to participate. The Superintendent/Principal or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

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

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

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

The Superintendent/Principal or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.

5. Any complaint alleging fraud shall be referred to the California Department of Education.
6. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with Administrative Regulation 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
7. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
8. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15582)
9. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49069.5 Rights of parents
49490-49590 Child nutrition programs
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, and former juvenile court school students;
course credits; graduation requirements
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan, especially:
52075 Complaint for lack of compliance with local control and accountability plan
requirements
52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52616.24 Adult schools
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
PENAL CODE
422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 2
11023 Harassment and discrimination prevention and correction
CODE OF REGULATIONS, TITLE 5
3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6577 Title I basic programs
6801-7014 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs

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
99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
CODE OF FEDERAL REGULATIONS, TITLE 34
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Title IX Coordinators, April 2015
Questions and Answers on Title IX and Sexual Violence, April 2014
Dear Colleague Letter: Bullying of Students with Disabilities, August 2013
Dear Colleague Letter: Sexual Violence, April 2011
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
Family Policy Compliance Office: <http://familypolicy.ed.gov>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>
U.S. Department of Justice: <http://www.justice.gov>

Adopted:

Uniform Complaint Procedures

Compliance Officers

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

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

Principal/Superintendent

Clear Creek Elementary School District
17700 McCourtney Rd., Grass Valley, Ca. 95949
530-273-3664

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

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

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

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

Notifications

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

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

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, students experiencing homelessness, children of military families, former juvenile court school students now enrolled in the district, students who are migratory, and students participating in a newcomer program as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant

9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision
10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district and district school websites and may be provided through district-supported social media, if available.

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

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

Filing of Complaints

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

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.

3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

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

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

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

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the

complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

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

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

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

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

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

Timeline for Investigation Report

OPTION 1: (Districts that do not allow complainants to appeal to the Board)

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

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

OPTION 2: (Districts that allow complainants to appeal to the Board)

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

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

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

For any complaint alleging unlawful discrimination, harassment, intimidation, or bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

END OF OPTION 2

Investigation Report

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

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

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

In consultation with district legal counsel, information about the relevant part of an investigation report

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

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

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

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination

Corrective Actions

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

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

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

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

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

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

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

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

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

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

Appeals to the California Department of Education

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

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

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

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

1. A copy of the original complaint
2. A copy of the district's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

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

Health and Safety Complaints in License-Exempt Preschool Programs

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

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

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

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

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

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

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

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

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

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

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

Legal Reference:

State Description

- 2 CCR 11023 Harassment and discrimination prevention and correction
- 5 CCR 15580-15584 Child nutrition programs complaint procedures
- 5 CCR 3200-3205 Special education compliance complaints
- 5 CCR 4600-4670 Uniform complaint procedures
- 5 CCR 4600-4687 Uniform complaint procedures and Williams complaints
- 5 CCR 4690-4694 Complaints regarding health and safety issues in license-exempt preschool programs
- 5 CCR 4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
- Ed. Code 18100-18203 School libraries
- Ed. Code 200-262.4 Prohibition of discrimination
- Ed. Code 32280-32289.5 School safety plans
- Ed. Code 35186 Williams uniform complaint procedures
- Ed. Code 46015 Parental leave for students
- Ed. Code 48645.7 Juvenile court schools
- Ed. Code 48853-48853.5 Foster youth
- Ed. Code 48985 Notices to parents in language other than English
- Ed. Code 49010-49013 Student fees
- Ed. Code 49060-49079 Student records
- Ed. Code 49069.5 Records of foster youth
- Ed. Code 49490-49590 Child nutrition programs
- Ed. Code 49701 Provisions of the Interstate Compact on Educational Opportunities for Military Children
- Ed. Code 51204.5 Social sciences instruction; contributions of specified groups
- Ed. Code 51210 Course of study for grades 1-6
- Ed. Code 51222 Physical education
- Ed. Code 51223 Physical education; elementary schools
- Ed. Code 51225.1-51225.2 Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
- Ed. Code 51226-51226.1 Career technical education
- Ed. Code 51228.1-51228.3 Course periods without educational content
- Ed. Code 51501 Nondiscriminatory subject matter
- Ed. Code 52059.5 Statewide system of support
- Ed. Code 52060-52077 Local control and accountability plan

Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52617	Adult schools
Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 60010	Instructional materials; definition
Ed. Code 60040-60052	Requirements for instructional materials
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8488	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes; harassment
Federal	Description
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964

42 USC 6101-6107 Age Discrimination Act of 1975

Management Resources Description

California Department of Education Publication Uniform Complaint Procedure 2021-22 Program Instrument

California Department of Education Publication Sample UCP Board Policies and Procedures

U.S. DOE, Office for Civil Rights Publication Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021

U.S. DOE, Office for Civil Rights Publication Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021

U.S. DOE, Office for Civil Rights Publication Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

U.S. DOJ Publication Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007

Website CSBA District and County Office of Education Legal Services

Website Student Privacy Policy Office

Website U.S. Department of Agriculture

Website California Department of Social Services

Website U.S. Department of Justice

Website California Department of Education

Website CSBA

Website U.S. Department of Education, Office for Civil Rights

Website California Civil Rights Department

Cross References

Code Description

0410 Nondiscrimination In District Programs And Activities

0420 School Plans/Site Councils

0420 School Plans/Site Councils

0420.41 Charter School Oversight

0420.41-E(1) Charter School Oversight

0430 Comprehensive Local Plan For Special Education

0430 Comprehensive Local Plan For Special Education

0450 Comprehensive Safety Plan

0450 Comprehensive Safety Plan

0460 Local Control And Accountability Plan

0460 Local Control And Accountability Plan

0470 COVID-19 Mitigation Plan

1100 Communication With The Public

1113 District And School Websites

1113 District And School Websites

1113-E(1) District And School Websites

1114 District-Sponsored Social Media

1114 District-Sponsored Social Media
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1220 Citizen Advisory Committees
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1250 Visitors/Outsiders
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1312.1 Complaints Concerning District Employees
1312.2 Complaints Concerning Instructional Materials
1312.2 Complaints Concerning Instructional Materials
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1312.4 Williams Uniform Complaint Procedures
1312.4-E(1) Williams Uniform Complaint Procedures
1312.4-E(2) Williams Uniform Complaint Procedures
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3555-E(1) Nutrition Program Compliance
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3580 District Records
4030 Nondiscrimination In Employment
4030 Nondiscrimination In Employment
4112.23 Special Education Staff
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4118 Dismissal/Suspension/Disciplinary Action
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4119.11 Sexual Harassment
4119.11 Sexual Harassment
4119.23 Unauthorized Release Of Confidential/Privileged Information
4131 Staff Development
4212.9 Employee Notifications
4212.9-E(1) Employee Notifications
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4218 Dismissal/Suspension/Disciplinary Action
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5131.62 Tobacco
5137 Positive School Climate
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5141.4 Child Abuse Prevention And Reporting
5141.4 Child Abuse Prevention And Reporting
5144 Discipline
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5144.1 Suspension And Expulsion/Due Process
5144.1 Suspension And Expulsion/Due Process
5145.3 Nondiscrimination/Harassment
5145.3 Nondiscrimination/Harassment
5145.6 Parent/Guardian Notifications
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5145.71 Title IX Sexual Harassment Complaint Procedures
5145.71-E(1) Title IX Sexual Harassment Complaint Procedures
5145.9 Hate-Motivated Behavior
5146 Married/Pregnant/Parenting Students
5148 Child Care And Development

5148 Child Care And Development
5148.2 Before/After School Programs
5148.2 Before/After School Programs
5148.3 Preschool/Early Childhood Education
5148.3 Preschool/Early Childhood Education
6142.1 Sexual Health And HIV/AIDS Prevention Instruction
6142.1 Sexual Health And HIV/AIDS Prevention Instruction
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6146.1 High School Graduation Requirements
6152 Class Assignment
6159 Individualized Education Program
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6159.1 Procedural Safeguards And Complaints For Special Education
6159.1 Procedural Safeguards And Complaints For Special Education
6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.3 Appointment Of Surrogate Parent For Special Education Students
6159.3 Appointment Of Surrogate Parent For Special Education Students
6161.1 Selection And Evaluation Of Instructional Materials
6161.1 Selection And Evaluation Of Instructional Materials
6161.1-E(1) Selection And Evaluation Of Instructional Materials
6161.11 Supplementary Instructional Materials
6163.1 Library Media Centers
6164.2 Guidance/Counseling Services
6164.4 Identification And Evaluation Of Individuals For Special Education
6164.4 Identification And Evaluation Of Individuals For Special Education
6164.5 Student Success Teams
6164.5 Student Success Teams
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6171 Title I Programs
6173 Education For Homeless Children
6173 Education For Homeless Children
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6173-E(2) Education For Homeless Children
6173.1 Education For Foster Youth
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6173.2 Education Of Children Of Military Families
6173.2 Education Of Children Of Military Families
6173.3 Education For Juvenile Court School Students
6175 Migrant Education Program
6175 Migrant Education Program
6178 Career Technical Education
6178 Career Technical Education
6178.1 Work-Based Learning
6178.1 Work-Based Learning
6178.2 Regional Occupational Center/Program
6200 Adult Education
6200 Adult Education
9000 Role Of The Board
9011 Disclosure Of Confidential/Privileged Information
9012 Board Member Electronic Communications
9124 Attorney
9200 Limits Of Board Member Authority
9321 Closed Session
9321-E(1) Closed Session
9321-E(2) Closed Session
9322 Agenda/Meeting Materials

Adopted:

Community Relations

Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following: (Education Code 35186; 5 CCR 4680-4683)

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that:

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

b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.

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

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

2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that:

a. A semester begins and a teacher vacancy exists.

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

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

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration

of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

3. Complaints regarding the condition of school facilities, including any complaint alleging that:

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

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

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

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

In any school serving any of grades 6-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. (Education Code 35292.6)

Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

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

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

Filing of Complaint

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the Superintendent/Principal or designee at the school in which the complaint arises. The Superintendent/Principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent/Principal or designee in a timely manner, but not to exceed 10 working days. (Education Code 35186; 5 CCR 4680)

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

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

Investigation and Response

The Superintendent/Principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her at the mailing address indicated on the complaint form within 45 working days of the initial filing of the complaint. At the same time, the principal or designee shall report the same information to the Superintendent/Principal or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

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

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

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

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

Reports

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

Forms and Notices

The Superintendent/Principal or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent/Principal or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186; 5 CCR 4680)

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

Legal Reference:

EDUCATION CODE

234.1 Prohibition of discrimination, harassment, intimidation, and bullying

1240 County superintendent of schools, duties

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School accountability report card
35186 Williams uniform complaint procedures
35292.5 Restrooms, maintenance and cleanliness
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures

Management Resources:

WEB SITES

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

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Williams case: <http://www.cde.ca.gov/eo/ce/wc>

State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Adopted: March 13, 2018

Revised:

Nondiscrimination In District Programs And Activities

Philosophy, Goals, Objectives and Comprehensive Plans

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

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

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

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

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

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 accessing district programs and activities. The Superintendent or designee shall take prompt, reasonable actions to remove any identified

barrier. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

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

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

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (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. (Education Code 48985; 20 USC 6312)

Access for Individuals with Disabilities

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

The Superintendent or designee shall ensure that the district provides appropriate 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 websites, note takers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or designee if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

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

Superintendent/Principal
Clear Creek Elementary School District
17700 McCourtney Rd. Ca. 95949
530-273-3664

Legal Reference

State Description

- 5 CCR 4600-4670 Uniform complaint procedures
- 5 CCR 4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
- Ed. Code 200-262.4 Prohibition of discrimination
- Ed. Code 48980 Parent/Guardian notifications
- Ed. Code 48985 Notices to parents in language other than English
- Ed. Code 51007 Legislative intent: state policy
- Ed. Code 51204.5 Social sciences instruction; contributions of specified groups
- Ed. Code 51501 Nondiscriminatory subject matter
- Ed. Code 60010 Instructional materials; definition
- Ed. Code 60040-60052 Requirements for instructional materials
- Gov. Code 11000 Definitions
- Gov. Code 11135 Prohibition of discrimination
- Gov. Code 12900-12996 Fair Employment and Housing Act
- Gov. Code 54953 Meetings; Americans with Disabilities Act accessibility
- Gov. Code 54953.2 Brown Act compliance with Americans with Disabilities Act
- Gov. Code 8310.3 California Religious Freedom Act
- Pen. Code 422.55 Definition of hate crime
- Pen. Code 422.6 Crimes; harassment
- Federal Description
- 20 USC 1400-1482 Individuals with Disabilities Education Act
- 20 USC 1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex
- 20 USC 2301-2414 Strengthening Career and Technical Education for the 21st Century Act
- 20 USC 6311 State plan
- 20 USC 6312 Local educational agency plan
- 28 CFR 35.101-35.190 Americans with Disabilities Act
- 28 CFR 36.303 Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services
- 29 USC 794 Rehabilitation Act of 1973; Section 504
- 34 CFR 100.1-100.13 Nondiscrimination in federal programs; effectuating Title VI
- 34 CFR 104.1-104.39 Section 504 of the Rehabilitation Act of 1973

34 CFR 106.1-106.82 Discrimination on the basis of sex; effectuating Title IX

42 USC 12101-12213 Americans with Disabilities Act

42 USC 2000d-2000d-7 Title VI, Civil Rights Act of 1964

42 USC 2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

Management Resources Description

CA Civil Rights Department Publication California Law Prohibits Workplace Discrimination and Harassment

CA Department of Health Care Services Publication Policy and Procedures Letter No. 21-017R, December 2021

CA Department of Health Care Services Publication Policy and Procedures Letter No. 23-004, February 2023

CA Office of the Attorney General Publication 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

CSBA Publication Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023

CSBA Publication Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022

U.S. DOE & U.S. DOJ Civil Rights Divisions Pub Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023

U.S. DOE, Office for Civil Rights Publication Supporting Transgender Youth in School, June 2021

U.S. DOE, Office for Civil Rights Publication Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011

U.S. DOE, Office for Civil Rights Publication Nondiscrimination in Employment Practices in Education, August 1991

U.S. DOE, Office for Civil Rights Publication Dear Colleague Letter: Race and School Programming, August 2023

U.S. DOE, Office for Civil Rights Publication Dear Colleague Letter: Electronic Book Readers, June 29, 2010

U.S. DOE, Office for Civil Rights Publication Dear Colleague Letter: Harassment and Bullying, October 2010

U.S. DOJ, Civil Rights Division Publication Guidance on Web Accessibility and the ADA, March 2022

U.S. DOJ, Civil Rights Division Publication Accessibility of State and Local Government Websites to People with Disabilities, February 2020

U.S. DOJ, Civil Rights Division Publication 2010 ADA Standards for Accessible Design, September 2010

Website CSBA District and County Office of Education Legal Services

Website California Office of the Attorney General

Website World Wide Web Consortium, Web Accessibility Initiative

Website Pacific ADA Center

Website U.S. Department of Justice, Civil Rights Division, Disability Rights Section

Website California Safe Schools Coalition

Website CSBA

Website California Department of Education

Website California Civil Rights Department

Website U.S. Equal Employment Opportunity Commission

Website U.S. Department of Education, Office for Civil Rights

Website California Department of Health Care Services

World Wide Web Consortium Publication Web Content Accessibility Guidelines, December 2008

Cross References

Code Description

0100 Philosophy

0415 Equity
0450 Comprehensive Safety Plan
0450 Comprehensive Safety Plan
0470 COVID-19 Mitigation Plan
1100 Communication With The Public
1113 District And School Websites
1113 District And School Websites
1113-E(1) District And School Websites
1114 District-Sponsored Social Media
1114 District-Sponsored Social Media
1230 School-Connected Organizations
1230 School-Connected Organizations
1240 Volunteer Assistance
1240 Volunteer Assistance
1260 Educational Foundation
1312.2 Complaints Concerning Instructional Materials
1312.2 Complaints Concerning Instructional Materials
1312.2-E(1) Complaints Concerning Instructional Materials
1312.3 Uniform Complaint Procedures
1312.3 Uniform Complaint Procedures
1312.3-E(1) Uniform Complaint Procedures
1312.3-E(2) Uniform Complaint Procedures
1312.4 Williams Uniform Complaint Procedures
1312.4-E(1) Williams Uniform Complaint Procedures
1312.4-E(2) Williams Uniform Complaint Procedures
1325 Advertising And Promotion
1330 Use Of School Facilities
1330 Use Of School Facilities
3260 Fees And Charges
3260 Fees And Charges
3270 Sale And Disposal Of Books, Equipment And Supplies
3270 Sale And Disposal Of Books, Equipment And Supplies
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3311 Bids
3515.3 District Police/Security Department
3515.3 District Police/Security Department
3515.31 School Resource Officers
3530 Risk Management/Insurance
3530 Risk Management/Insurance
3540 Transportation
3541.2 Transportation For Students With Disabilities
3551 Food Service Operations/Cafeteria Fund
3551 Food Service Operations/Cafeteria Fund
3552 Summer Meal Program

3552 Summer Meal Program
3553 Free And Reduced Price Meals
3553 Free And Reduced Price Meals
3555 Nutrition Program Compliance
3555-E(1) Nutrition Program Compliance
3600 Consultants
4030 Nondiscrimination In Employment
4030 Nondiscrimination In Employment
4032 Reasonable Accommodation
4033 Lactation Accommodation
4040 Employee Use Of Technology
4040-E(1) Employee Use Of Technology
4111 Recruitment And Selection
4111.2 Legal Status Requirement
4111.2 Legal Status Requirement
4119.11 Sexual Harassment
4119.11 Sexual Harassment
4119.21 Professional Standards
4119.21-E(1) Professional Standards
4119.22 Dress And Grooming
4131 Staff Development
4144 Complaints
4144 Complaints
4161.8 Family Care And Medical Leave
4211 Recruitment And Selection
4211.2 Legal Status Requirement
4211.2 Legal Status Requirement
4212.9 Employee Notifications
4212.9-E(1) Employee Notifications
4219.11 Sexual Harassment
4219.11 Sexual Harassment
4219.21 Professional Standards
4219.21-E(1) Professional Standards
4219.22 Dress And Grooming
4244 Complaints
4244 Complaints
4261.8 Family Care And Medical Leave
4311 Recruitment And Selection
4311.2 Legal Status Requirement
4311.2 Legal Status Requirement
4312.9 Employee Notifications
4312.9-E(1) Employee Notifications
4319.11 Sexual Harassment
4319.11 Sexual Harassment

4319.21 Professional Standards
4319.21-E(1) Professional Standards
4319.22 Dress And Grooming
4331 Staff Development
4344 Complaints
4344 Complaints
4361.8 Family Care And Medical Leave
5113.1 Chronic Absence And Truancy
5113.1 Chronic Absence And Truancy
5116.2 Involuntary Student Transfers
5126 Awards For Achievement
5126 Awards For Achievement
5131.2 Bullying
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5141.22 Infectious Diseases
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5145.12 Search And Seizure
5145.12 Search And Seizure
5145.13 Response To Immigration Enforcement
5145.13 Response To Immigration Enforcement
5145.3 Nondiscrimination/Harassment
5145.3 Nondiscrimination/Harassment
5145.6 Parent/Guardian Notifications
5145.6-E(1) Parent/Guardian Notifications
5145.7 Sexual Harassment
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5145.71 Title IX Sexual Harassment Complaint Procedures
5145.71-E(1) Title IX Sexual Harassment Complaint Procedures
5145.9 Hate-Motivated Behavior
5146 Married/Pregnant/Parenting Students
5148 Child Care And Development
5148 Child Care And Development
5148.2 Before/After School Programs
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6000 Concepts And Roles
6020 Parent Involvement
6020 Parent Involvement
6141 Curriculum Development And Evaluation
6141 Curriculum Development And Evaluation
6141.2 Recognition Of Religious Beliefs And Customs
6141.2 Recognition Of Religious Beliefs And Customs
6141.4 International Baccalaureate Program

6141.5 Advanced Placement
6142.1 Sexual Health And HIV/AIDS Prevention Instruction
6142.1 Sexual Health And HIV/AIDS Prevention Instruction
6142.3 Civic Education
6142.5 Environmental Education
6142.7 Physical Education And Activity
6142.7 Physical Education And Activity
6143 Courses Of Study
6143 Courses Of Study
6144 Controversial Issues
6145 Extracurricular And Cocurricular Activities
6145 Extracurricular And Cocurricular Activities
6145.2 Athletic Competition
6145.2 Athletic Competition
6152.1 Placement In Mathematics Courses
6152.1 Placement In Mathematics Courses
6158 Independent Study
6158 Independent Study
6161.1 Selection And Evaluation Of Instructional Materials
6161.1 Selection And Evaluation Of Instructional Materials
6161.1-E(1) Selection And Evaluation Of Instructional Materials
6161.11 Supplementary Instructional Materials
6162.5 Student Assessment
6163.1 Library Media Centers
6163.2 Animals At School
6163.2 Animals At School
6164.2 Guidance/Counseling Services
6164.4 Identification And Evaluation Of Individuals For Special Education
6164.4 Identification And Evaluation Of Individuals For Special Education
6164.6 Identification And Education Under Section 504
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6172 Gifted And Talented Student Program
6172 Gifted And Talented Student Program
6173 Education For Homeless Children
6173 Education For Homeless Children
6173-E(1) Education For Homeless Children
6173-E(2) Education For Homeless Children
6173.1 Education For Foster Youth
6173.1 Education For Foster Youth
6173.4 Education For American Indian Students
6175 Migrant Education Program
6175 Migrant Education Program
6178 Career Technical Education
6178 Career Technical Education

- 6181 Alternative Schools/Programs Of Choice
- 6181 Alternative Schools/Programs Of Choice
- 6184 Continuation Education
- 6184 Continuation Education
- 6200 Adult Education
- 6200 Adult Education
- 7110 Facilities Master Plan
- 7111 Evaluating Existing Buildings
- 7310 Naming Of Facility
- 9150 Student Board Members
- 9220 Governing Board Elections
- 9320 Meetings And Notices
- 9322 Agenda/Meeting Materials

Adopted:

New

BP 6163.1

Library Media Centers

The Governing Board recognizes that school libraries support the educational program by providing access to a variety of informational and supplemental resources that can inspire a love of reading, stimulate thought, the exploration of ideas and intellectual exchanges, and contribute to the academic achievement of all students. The Board desires that school libraries be stocked with up-to-date books, reference materials, and electronic resources that promote literacy, support academic standards, contain a broad spectrum of knowledge and viewpoints, accurately reflect and value society's diversity, and prepare students to become lifelong learners.

The Superintendent or designee may, in consultation with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate, develop and regularly update a plan for school libraries that describes the district's goals for school libraries and the distribution of funds to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, the development and maintenance of classroom libraries, prevention of loss or damage of library materials, prioritization of needs, and other related matters. The Superintendent or designee shall ensure that the library plan is aligned with the district's local control and accountability plan and other district and school plans.

Staffing

To staff school libraries, the district may employ one or more teacher librarians who possess appropriate credentials issued by the Commission on Teacher Credentialing. (Education Code 18120, 44868; 5 CCR 80024.6, 80053)

The Superintendent or designee may assign teacher librarians to perform the following duties in accordance with the authorizations of their credential: (5 CCR 80053, 80053.1)

1. Instruct students in accessing, evaluating, using, and integrating information and resources in the library program and/or provide departmentalized instruction in information literacy, digital literacy, and digital citizenship
2. Plan and coordinate school library programs with the district's instructional programs through collaboration with teachers
3. Select materials for school and district libraries
4. Develop and deliver staff development programs for school library services
5. Coordinate or supervise library programs at the school or district level
6. Plan and conduct a course of instruction for students who assist in the operation of school libraries

7. Supervise classified personnel assigned school library duties
8. Develop procedures for and management of the school and district libraries

The Board also may appoint classified paraprofessionals to serve as library aides or library technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

Hours of Operation

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

With the approval of the Board, a school library may be open at other hours outside the school day, including evenings and Saturdays. Any library open to serve students during evening and Saturday hours shall be under the supervision of a certificated employee who consents to the assignment. (Education Code 18103)

Selection and Evaluation of School Library Materials

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive and/or language needs.

Library materials shall be selected and evaluated through a process that invites recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

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

Library materials shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed.

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

Complaints regarding the appropriateness of library materials shall be addressed in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials and Board Policy 1312.3 - Uniform Complaint Procedures, as applicable.

Fees

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

OPTION 1: (No late fees)

Students shall be encouraged to return library materials in a timely manner, but no charge shall be assessed for the late return of materials.

OPTION 1 ENDS HERE _____

OPTION 2: (Late fees charged)

To encourage students to return materials in a timely manner, a nominal fee shall be charged for the late return of materials.

OPTION 2 ENDS HERE _____

Library Instruction

Teacher librarians and/or classroom teachers shall provide library instruction to support the development of students' information literacy skills. Such instruction shall be aligned with the state academic standards for library instruction and shall prepare students to:

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources
2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry
3. Organize, synthesize, create, and communicate information
4. Integrate information literacy skills into all areas of learning and pursue information independently to become life-long learners

Teacher librarians also may provide support to teachers, administrators, and other staff by identifying instructional materials that will aid in the development of curriculum and instructional activities and by providing information about effective and ethical uses of school library services and equipment.

Program Evaluation

The Superintendent or designee shall annually assess and report to the Board regarding the condition and use of school libraries. The assessment shall evaluate, at a minimum:

1. Access of students and staff to school libraries during school hours and, as appropriate, access outside the school day
2. The process and frequency by which students are allowed to check out library materials
3. Staffing levels, qualifications, and number of hours worked
4. The quality of the collection at each library, including, but not limited to, the total number of books in the collection, number of books per student, types of materials (fiction, non-fiction, newspapers, magazines, encyclopedias, materials in other languages, and reference materials), alignment with curriculum, provision of a broad spectrum of knowledge and viewpoints, amount expended during the year for the purchase of new resources, and the number of resources discarded and added during the year
5. Any special programs offered at the school to encourage reading and/or library use
6. The adequacy of the facility space and equipment designated for the school library
7. The source(s) and adequacy of funding for school libraries
8. Knowledge by principals, teachers, and library personnel of the process to follow when a library material(s) is challenged

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of its school libraries for the preceding year ending June 30. (Education Code 18122)

Legal Reference

State Description

5 CCR 16040-16043 School libraries

5 CCR 80023-80023.2 Emergency permits; general requirements

5 CCR 80024.6 Emergency teacher librarian services permit

5 CCR 80026-80026.6 Emergency permits; Declaration of Need

5 CCR 80053-80053.1 Teacher librarian services credential

Ed. Code 1703 Coordination of district library services by county superintendent

Ed. Code 1770-1775 Provision of library services by county superintendent

Ed. Code 18100-18203 School libraries

Ed. Code 18300-18571 Union high school district/unified school district library district

Ed. Code 19335-19336 Reading Initiative Program; recommended books

Ed. Code 220 Prohibition of discrimination

Ed. Code 242 Access to information about educational laws and policies regarding right to accurate and inclusive curriculum

Ed. Code 35021	Volunteer aides
Ed. Code 44868-44869	Qualifications and employment of library media teachers
Ed. Code 45340-45349	Instructional aides
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 60040-60052	Requirements for instructional materials
Management Resources	Description
California Department of Education Publication	Examples of Model School Library Standards for California Public Schools Supporting Common Core State Standards (CCSS) for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects, rev. February 2012
California Department of Education Publication	Looking at the School Library: An Evaluation Tool, 2003
California Department of Education Publication	Model School Library Standards for California Public Schools: K - 12, 2010
California Department of Education Publication	Recommended Literature: Kindergarten Through Grade Twelve
California School Library Association Publication	Standards and Guidelines for Strong School Libraries, 2004
Website	CSBA District and County Office of Education Legal Services
Website	American Association of School Libraries
Website	California Department of Education, School Libraries
Website	California School Library Association
Website	Department of Justice
Website	California Department of Education, Curriculum and Instruction Resources
Website	U.S. Department of Education, Office for Civil Rights

Cross References

Code	Description
0200	Goals For The School District
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0440	District Technology Plan
0440	District Technology Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1240	Volunteer Assistance

1240 Volunteer Assistance
1260 Educational Foundation
1312.2 Complaints Concerning Instructional Materials
1312.2 Complaints Concerning Instructional Materials
1312.2-E(1) Complaints Concerning Instructional Materials
1312.3 Uniform Complaint Procedures
1312.3 Uniform Complaint Procedures
1312.3-E(1) Uniform Complaint Procedures
1312.3-E(2) Uniform Complaint Procedures
1312.4 Williams Uniform Complaint Procedures
1312.4-E(1) Williams Uniform Complaint Procedures
1312.4-E(2) Williams Uniform Complaint Procedures
1330.1 Joint Use Agreements
1340 Access To District Records
1340 Access To District Records
3260 Fees And Charges
3260 Fees And Charges
3270 Sale And Disposal Of Books, Equipment And Supplies
3270 Sale And Disposal Of Books, Equipment And Supplies
3290 Gifts, Grants And Bequests
3311 Bids
3311 Bids
4112.2 Certification
4112.2 Certification
4113 Assignment
4113 Assignment
4131 Staff Development
4132 Publication Or Creation Of Materials
4222 Teacher Aides/Paraprofessionals
4222 Teacher Aides/Paraprofessionals
4231 Staff Development
4232 Publication Or Creation Of Materials
4331 Staff Development
4332 Publication Or Creation Of Materials
5125.2 Withholding Grades, Diploma Or Transcripts
5145.3 Nondiscrimination/Harassment
5145.3 Nondiscrimination/Harassment
6011 Academic Standards

6141 Curriculum Development And Evaluation
6141 Curriculum Development And Evaluation
6142.2 World Language Instruction
6142.2 World Language Instruction
6142.6 Visual And Performing Arts Education
6142.91 Reading/Language Arts Instruction
6142.92 Mathematics Instruction
6142.94 History-Social Science Instruction
6143 Courses Of Study
6143 Courses Of Study
6144 Controversial Issues
6154 Homework/Makeup Work
6161.1 Selection And Evaluation Of Instructional Materials
6161.1 Selection And Evaluation Of Instructional Materials
6161.1-E(1) Selection And Evaluation Of Instructional Materials
6161.11 Supplementary Instructional Materials
6161.2 Damaged Or Lost Instructional Materials
6162.6 Use Of Copyrighted Materials
6162.6 Use Of Copyrighted Materials
6163.4 Student Use Of Technology
6163.4-E(1) Student Use Of Technology
7110 Facilities Master Plan

Adopted:

New

BP 5131.2

Bullying

Students

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

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe, welcoming and warm 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 individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.

Cyberbullying includes the creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

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.

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.

Bullying Prevention

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

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social

skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective response.

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.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in Administrative Regulation 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.

School staff who witness 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)

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.

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

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

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

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

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.

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

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Bullying at School, 2003

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

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

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>

Common Sense Media: <http://www.common sense media.org>

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

ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>

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

Adopted:

Bullying

Students

Examples of Prohibited Conduct

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

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images, which may be shared, sent, or posted publicly.

Cyberbullying may include, but is not limited to, personal or private information that causes humiliation, false or negative information to discredit or disparage, or threats of physical harm.

Cyberbullying may also include breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

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

Measures to Prevent Bullying

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

1. Developing a strategic plan for school connectedness and social skills with benchmark tracking, which may include providing regular opportunities and spaces for students to develop social skills and strengthen relationships and promoting adult support from family and school staff, peer-led programs, and partnerships with key community groups, implementing socially based educational techniques such as cooperative learning projects that can improve educational outcomes as well as peer relations, creating a supportive school environment that fosters belonging through equitable classroom management, mentoring, and peer support groups that allow students to lean on each other and learn from each other's experiences, and building social connection into health education courses including information on the consequences of social connection on physical and mental health, key risk and protective factors, and strategies for increasing social connection
2. Ensuring that each school establishes clear rules for student and staff conduct and implements strategies to promote a positive, supportive, and collaborative school climate
3. Providing information to students, through student handbooks, district and school websites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
4. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
5. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias.
6. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so.

Staff Development

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

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

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

Information and Resources

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

1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6
2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8
3. Title IX information included on the district's website pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's website pursuant to Education Code 221.6
4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying
5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media

5. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5
6. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

Student Instruction

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

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

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

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

Reporting and Filing of Complaints

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

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with Administrative Regulation 1312.3 - Uniform Complaint Procedures. 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.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, regardless of whether a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, regardless of whether the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in Administrative Regulation 1312.3.

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

Discipline/Corrective Actions

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

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

(Education Code 48900.5)

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

Support Services

The Superintendent, principal, or 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)

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

State References

Description

5 CCR 4600-4670 Uniform complaint procedures

Bus. and Prof. Code 22589-22589.4 Cyberbullying Protection Act

Ed. Code 200-262.4 Prohibition of discrimination -

<https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==>

Ed. Code 32280-32289.5

School safety plans - <https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==>

Ed. Code 35181 Governing board authority to set policy on responsibilities of students -

<https://simbli.eboardsolutions.com/SU/aMhrosfuwlgvxetzOUpGwQ==>

Ed. Code 35291-35291.5

School discipline rules -

<https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKTjvdsIshoC4A==>

Ed. Code 46600

Student transfers - <https://simbli.eboardsolutions.com/SU/9BwpunuMNyTrTI0p92r15g==>

Ed. Code 48900-48925

Suspension and expulsion -

<https://simbli.eboardsolutions.com/SU/dt5KNUnSLpER0iplusCa0bRIQ==>

Ed. Code 48985 Notices to parents in language other than English -

<https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==>

Ed. Code 52060-52077

Local control and accountability plan -

<https://simbli.eboardsolutions.com/SU/kjIplusPzLslshlt7rPOBfXZYJuQ==> Pen. Code 422.55

Definition of hate crime -

<https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==> Pen. Code 647

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

<https://simbli.eboardsolutions.com/SU/HhDiFw1ly2YHHsM2DSWLZg==> Pen. Code 647.7

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

<https://simbli.eboardsolutions.com/SU/1MB9aP0wFAL8slshxN0g5plusSgA==> Pen. Code 653.2

Electronic communication devices; threats to safety -

<https://simbli.eboardsolutions.com/SU/b3lplusd0Hih11bxg2qs6OYFQ==>

Federal References Description

28 CFR 35.107 Nondiscrimination on basis of disability; complaints

34 CFR 104.7

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

34 CFR 106.8 Designation of coordinator; dissemination of policy, and adoption of grievance procedures

34 CFR 110.25 Notification of nondiscrimination on the basis of age

47 USC 254 Universal service discounts (E-rate)

Management Resources References Description

CA Office of the Attorney General Publication

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 -

<https://simbli.eboardsolutions.com/SU/ooeCURkNWJynAeTollv07A==> California Department of Education Publication

Social and Emotional Learning in California: A Guide to Resources, October 2018 - <https://simbli.eboardsolutions.com/SU/sb8cyt1Dn50dBCdekU5EtQ==>

California Department of Education Publication

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

<https://simbli.eboardsolutions.com/SU/j2fEhm5EkmrfnhEegYfkRA==> California Department of Education Publication

Bullying at School, 2003 -

<https://simbli.eboardsolutions.com/SU/WZKBslshBhceU4oeUXslshSh1w5Q==> California Department of Education Publication

Online Bullying Training Module and Bullying Module -

<https://simbli.eboardsolutions.com/SU/gX974lxOcEpeYDHrg9RPBQ==> California Department of Education Publication

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

<https://simbli.eboardsolutions.com/SU/GXqk5a6e7dTGGncGD9cXew==>

6

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

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

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

CSBA Publication

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009 - <https://simbli.eboardsolutions.com/SU/XdN3WVUUF1cdWXIPIQ118A>== CSBA Publication

School Safety: Bullying and Cyberbullying, Policy Brief, October 2023 - <https://simbli.eboardsolutions.com/SU/HWUHi1Ku5Locrb6GdldNQQ>== CSBA Publication

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

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012 - <https://simbli.eboardsolutions.com/SU/XMmBwW2YplusKICWWuFLd20xw>== CSBA Publication

Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014 - <https://simbli.eboardsolutions.com/SU/lZrxplusLtayDEp9tPlcwfow>== CSBA Publication

Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022 - <https://simbli.eboardsolutions.com/SU/TJrCO83d42yQSTw6naAD0w>== U.S. DOE Office for Civil Rights Publication

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014 - <https://simbli.eboardsolutions.com/SU/4FdplusZJ1MoSo9yosW9ABq1w>== U.S. DOE Publication

Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023 - <https://simbli.eboardsolutions.com/SU/181OMFOJQSSH58t4UvJ1jg>== U.S. DOE, Office for Civil Rights Publication

Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023 - <https://simbli.eboardsolutions.com/SU/YckbX5RJQDac0slshJteMFgQ>== U.S. DOE, Office for Civil Rights Publication

Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023 - <https://simbli.eboardsolutions.com/SU/l6lPcmABvGAhOsAzhLHCg>== U.S. DOE, Office for Civil Rights Publication

Dear Colleague Letter: Harassment and Bullying, October 2010 - <https://simbli.eboardsolutions.com/SU/XX9aqjyOHBUO5MT1EmGslshslshA>== US Department of Health and Human Services

Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory, 2023 - <https://simbli.eboardsolutions.com/SU/5plus1qslsh2Aa27WfslshiTtbPYDOg>== US Dept of Health and Human Services
Publication

6142.8 Comprehensive Health Education -

<https://simbli.eboardsolutions.com/SU/k3MbplusFPuGJISwUHhBI58g==>

6144 Controversial Issues -

<https://simbli.eboardsolutions.com/SU/irvX9aRIBPzTph8GygfK9w==>

6163.4

Student Use Of Technology -

<https://simbli.eboardsolutions.com/SU/JYZqEAGgHSQ8NKf76jfTkw==>

6163.4-E(1) Student Use Of Technology -

<https://simbli.eboardsolutions.com/SU/xL8Kskyraw6PieC8rplusJpYg==>

6164.2 Guidance/Counseling Services -

<https://simbli.eboardsolutions.com/SU/QEsZgzQo3AFYxslshFZf9HBrg==>

6173.1

Education For Foster Youth -

<https://simbli.eboardsolutions.com/SU/FhWqtvgluEC44NZ6fEILQA==>

6173.1

Education For Foster Youth -

<https://simbli.eboardsolutions.com/SU/plus02X7apL6BbQWZJpZVboVQ==>

6184 Continuation Education -

<https://simbli.eboardsolutions.com/SU/3Ht4rBWGbplusXBfB2lhozFRg==>

6184 Continuation Education -

<https://simbli.eboardsolutions.com/SU/KkY8miqdW4plusznm6ry>

Adopted:

Students

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

The Governing Board 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, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

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.

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

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging

unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

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

The Superintendent/Principal or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. 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/Principal or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

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

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

Record-Keeping

The Superintendent/Principal 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.

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

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

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 Discrimination, March 2017

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

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

FIRST AMENDMENT CENTER PUBLICATIONS

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

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

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>

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>

Adopted:

Students and Programs

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.2- Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Superintendent/Principal
Clear Creek Elementary School District
17700 McCourtney Road, Grass Valley, Ca 95949
530-273-3664

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent/Principal or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them on the district's web site and other prominent locations and providing easy access to them through district-supported social media, when available.
2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

4. Post in a prominent and conspicuous location on the district and school web sites information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.61)

a. The name and contact information of the district's Title IX coordinator, including the phone number and email address

b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 9075 - Uniform Complaint Procedures, which shall include:

(1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

3. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

4. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

4. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

5. The Superintendent/Principal or designee shall ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

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

6. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

7. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

8. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students' privacy rights and ensure their safety from threatened or potentially discriminatory behavior.

Enforcement of District Policy

The Superintendent/Principal or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to students, parents/guardians, and the community
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be

made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Intersex student means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

Nonbinary student means a student whose gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether or not the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to

stereotypical notions of masculinity or femininity, as applicable

3. Blocking a student's entry to the bathroom that corresponds to his/her gender identity
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against intersex, nonbinary, transgender, and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's intersex, nonbinary, transgender or gender-nonconforming status is his/her private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a intersex, nonbinary, transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify and develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law.

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with student's gender identity, without the necessity of a court order or a change to student's official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

Adopted:

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect and value society's diversity, and enhance instructors' ability to educate all students through the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and that the materials meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with academic content standards and the district's curriculum to ensure that they effectively support the district's adopted courses of study.

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or that have, during the district's review process, been determined to be aligned with the state academic content standards adopted by SBE. (Education Code 60200, 60210)

In selecting or adopting instructional materials, the Board shall consider the recommendation of the Principal/Superintendent or designee and/or an advisory committee established to review the materials.

The degree to which every student has sufficient access to standards-aligned instructional materials shall be included in the district's local control and accountability plan. (Education Code 52060)

Public Hearing on Sufficiency of Instructional Materials

The Board shall annually conduct one or more public hearings on the sufficiency of the district's instructional materials, including textbooks, technology-based materials, other educational materials, and tests. Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audio tapes, lesson plans, databases, and the electronic equipment required to make use of those materials by students and teachers as a learning resource. (Education Code 60010, 60119)

The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks or other instructional materials that are aligned to the content standards adopted by SBE and consistent with the content and cycles of the curriculum framework adopted by SBE in each of the following subjects: (Education Code 60119)

1. Mathematics
2. Science
3. History-social science
4. English language arts, including the English language development component of an adopted program
5. World language
6. Health

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119)

In making these determinations, the Board shall consider whether each student has sufficient textbooks or other instructional materials to use in class and to take home. This does not require that each student have two sets of materials. However, materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (Education Code 60119)

If materials are in a digital format, they shall be considered sufficient as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district, and has the ability to use and access them at home. (Education Code 60119)

If the Board determines that there are insufficient textbooks or other instructional materials, the district shall provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks or instructional materials. The Board shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

In addition, if the County Superintendent, in accordance with Education Code 1240, makes the district aware of a school that does not have sufficient textbooks or instructional materials, the district shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year.

Prohibition Against Refusal to Approve or Prohibit the Use of Specified Instructional Materials

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

Complaints

Complaints concerning instructional materials shall be handled in accordance with BP/AR 1312.2 - Complaints Concerning Instructional Materials or AR 1312.4 - Williams Uniform Complaint Procedures, as applicable

Adopted: November 8, 2022

Revised:

Review Process

The district's review process for evaluating instructional materials shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members in accordance with Education Code 60002. The review process may also involve administrators, other staff who have subject-matter expertise, and students as appropriate. The Superintendent or designee shall seek input from stakeholders with diverse backgrounds and perspectives.

If the district is considering the use of instructional materials for grades K-8 that have not been adopted by the State Board of Education (SBE), the Superintendent or designee shall ensure that a majority of the participants in the district's review process are classroom teachers who are assigned to the subject area or grade level of the materials. (Education Code 60210)

The Superintendent or designee may establish an advisory committee to conduct the review of instructional materials.

The Superintendent or designee shall present to the Governing Board recommendations for instructional materials and documentation that supports the recommendations.

All recommended instructional materials shall be available for public inspection at the district office.

When possible, the district may pilot instructional materials in a representative sample of classrooms for a specified period of time during a school year, in order to determine the extent to which the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

Criteria for Selection and Adoption of Instructional Materials

In recommending instructional materials for adoption by the Board, the Superintendent or designee shall ensure that the materials:

1. Are aligned to the content standards adopted by SBE and consistent with the content and cycles of the curriculum framework adopted by SBE

For grades K-8, only instructional materials on the list of materials adopted by SBE and/or other instructional materials that have not been adopted by SBE but are aligned with the state academic content standards or the Common Core State Standards may be recommended for selection. (Education Code 60200, 60210)

2. Do not reflect adversely upon persons because of any characteristic specified in law and BP 0410 - Nondiscrimination in District Programs and Activities, nor contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 51501, 60044)
3. To the satisfaction of the Board, are accurate, objective, current, and suited to the needs and comprehension of district students at their respective grade levels (Education Code 60045)
4. With the exception of literature and tradebooks, use proper grammar and spelling (Education Code 60045)
5. Do not expose students to a commercial brand name, product, or corporate or company logo unless the Board makes a specific finding that the use is appropriate based on one of the following: (Education Code 60048, 60200)
 - a. The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by SBE.
 - b. The appearance of a commercial brand name, product, or corporate or company logo in an illustration is incidental to the general nature of the illustration.
6. Meet the requirements of Education Code 60040-60043 for specific subject content, including, but not limited to:
7.
 - a. Accurately portraying society's cultural and racial diversity, including:
 1. The contributions of all genders in all types of roles, including professional, vocational, and executive roles
 2. The role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic groups to the total

development of California and the United States

3. The role and contributions of the entrepreneur and labor in the total development of California and the United States
 - b. Accurately portraying humanity's place in ecological systems and the necessity for the protection of the environment
 - c. Accurately portraying the effects on the human system of the use of tobacco, alcohol, and narcotics, and restricted dangerous drugs as defined in Health and Safety Code 11032, and other dangerous substances
 - d. Encouraging thrift, fire prevention, and the humane treatment of animals and people
 - e. Requiring, when appropriate to the comprehension of students, that textbooks for social science, history, or civics classes contain the Declaration of Independence and the United States Constitution
8. Support the district's adopted courses of study and curricular goals, including the district's local control and accountability plan
9. Contribute to a comprehensive, balanced curriculum
10. Demonstrate reliable quality of scholarship as evidenced by:
 - a. Accurate, up-to-date, and well-documented information
 - b. Objective presentation of diverse viewpoints
 - c. Clear, concise writing and appropriate vocabulary
 - d. Thorough treatment of subject matter
11. Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels

12. Stimulate discussion of contemporary issues and improve students' thinking and decision-making skills
13. As appropriate, have corresponding versions available in languages other than English
14. Include high-quality teacher's guides
15. When available, include options for lighter weight materials in order to help minimize any injury to students by the combined weight of instructional materials

In addition to meeting the above criteria as applicable, technology-based materials shall:

1. Be both available and comparable to other, equivalent instructional materials (Education Code 60052)
2. Be accessible to all students, including economically disadvantaged students, students with disabilities, and English learners
3. Protect the privacy of student data

Conflict of Interest

To ensure integrity in the evaluation and selection of instructional materials, individuals who are participating in the evaluation of instructional materials and are not otherwise designated in the district's conflict of interest code shall sign a disclosure statement indicating that they:

1. Will not accept any emolument, money, or other valuable thing or inducement to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material (Education Code 60072)

Sample copies of instructional materials are excepted from this prohibition. (Education Code 60075)

2. Are not employed by nor receive compensation from the publisher or supplier of the instructional materials or any person, firm, organization, subsidiary, or controlling entity representing it

3. Do not have an interest as a contributor, author, editor, or consultant in any textbook or other instructional material submitted to the district

State

Description

- 5 CCR 9505-9530 Instructional materials
- Ed. Code 1240 County superintendent of schools; duties
- Ed. Code 18111 Exclusion of books by Governing board that are sectarian, partisan, or denominational character
- Ed. Code 220 Prohibition of discrimination
- Ed. Code 242 Access to information about educational laws and policies regarding right to accurate and inclusive curriculum
- Ed. Code 243 Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials
- Ed. Code 33050-33053 General waiver authority
- Ed. Code 33126 School accountability report card
- Ed. Code 35272 Education and athletic materials
- Ed. Code 44805 Teacher enforcement of course of studies; use of textbooks, rules and regulations
- Ed. Code 48907 Exercise of free expression; time, place and manner rules and regulations
- Ed. Code 48950 Speech and other communication
- Ed. Code 49415 Maximum textbook weight standards
- Ed. Code 51204.5 Social sciences instruction; contributions of specified groups
- Ed. Code 51501 Nondiscriminatory subject matter
- Ed. Code 51511 Religious matters properly included in courses of study
- Ed. Code 51933 Sexual health education and HIV prevention materials
- Ed. Code 52060-52077 Local control and accountability plan
- Ed. Code 60000-60005 Instructional materials; legislative intent
- Ed. Code 60010 Instructional materials; definition
- Ed. Code 60040-60052 Requirements for instructional materials
- Ed. Code 60060-60063.5 Requirements for publishers and manufacturers
- Ed. Code 60070-60076 Prohibited acts regarding instructional materials
- Ed. Code 60110-60115 Instructional materials on alcohol and drug education
- Ed. Code 60119 Sufficiency of textbooks and instructional materials; hearing and resolution
- Ed. Code 60150 Penalty for insufficiency of textbooks and instructional materials
- Ed. Code 60200-60213 Elementary school materials
- Ed. Code 60226 Requirements for publishers and manufacturers
- Ed. Code 60400-60411 Instructional materials; high schools
- Ed. Code 60510-60511 Donation or sale of obsolete instructional materials
- Ed. Code 60605 State-adopted content and performance standards in core curricular areas
- Ed. Code 60605.8 Common Core standards

H&S Code 11032	Narcotics, restricted dangerous drugs, and marijuana; definitions
Management Resources	Description
California Department of Education Publication	Instructional Materials, FAQ
California Department of Education Publication	Standards for Evaluating Instructional Materials for Social Content, 2013
California Department of Education Publication	Guidelines for Piloting Textbooks and Instructional Materials, Policy # 01-05, rev. January 2015
Website	CSBA District and County Office of Education Legal Services
Website	Association of American Publishers
Website	California Academic Content Standards Commission, Common Core State Standards
Website	Department of Justice
Website	U.S. Department of Education, Office for Civil Rights
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0440	District Technology Plan
0440	District Technology Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2-E(1)	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
1325	Advertising And Promotion
1340	Access To District Records
1340	Access To District Records
1700	Relations Between Private Industry And The Schools
3220.1	Lottery Funds
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies

3290 Gifts, Grants And Bequests
3311 Bids
3311 Bids
4136 Nonschool Employment
4143 Negotiations/Consultation
4236 Nonschool Employment
4243 Negotiations/Consultation
4331 Staff Development
4336 Nonschool Employment
5020 Parent Rights And Responsibilities
5020 Parent Rights And Responsibilities
5145.3 Nondiscrimination/Harassment
5145.3 Nondiscrimination/Harassment
6000 Concepts And Roles
6011 Academic Standards
6020 Parent Involvement
6020 Parent Involvement
6141 Curriculum Development And Evaluation
6141 Curriculum Development And Evaluation
6142.2 World Language Instruction
6142.2 World Language Instruction
6142.6 Visual And Performing Arts Education
6142.8 Comprehensive Health Education
6142.8 Comprehensive Health Education
6142.91 Reading/Language Arts Instruction
6142.92 Mathematics Instruction
6142.93 Science Instruction
6142.94 History-Social Science Instruction
6143 Courses Of Study
6143 Courses Of Study
6144 Controversial Issues
6146.1 High School Graduation Requirements
6161.11 Supplementary Instructional Materials
6161.2 Damaged Or Lost Instructional Materials
6162.5 Student Assessment
6162.6 Use Of Copyrighted Materials
6162.6 Use Of Copyrighted Materials
6163.1 Library Media Centers
6170.1 Transitional Kindergarten
6171 Title I Programs
6171 Title I Programs
6174 Education For English Learners
6174 Education For English Learners

6190 Evaluation Of The Instructional Program
9000 Role Of The Board
9270 Conflict Of Interest
9270-E(1) Conflict Of Interest
9322 Agenda/Meeting Materials

Adopted: November 8, 2022

Revised:

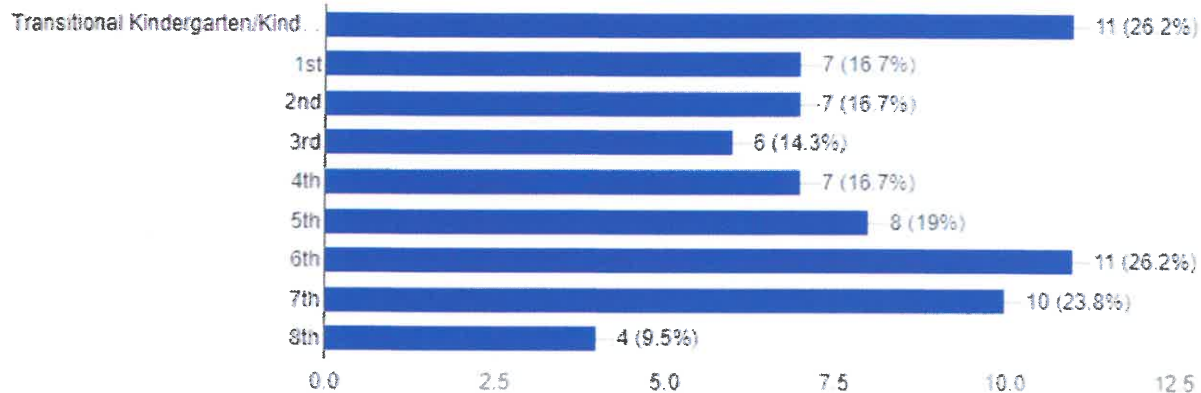
2024 LCAP Parent Survey Results

Dear Clear Creek Community Members,

What is the grade level of your child/children?

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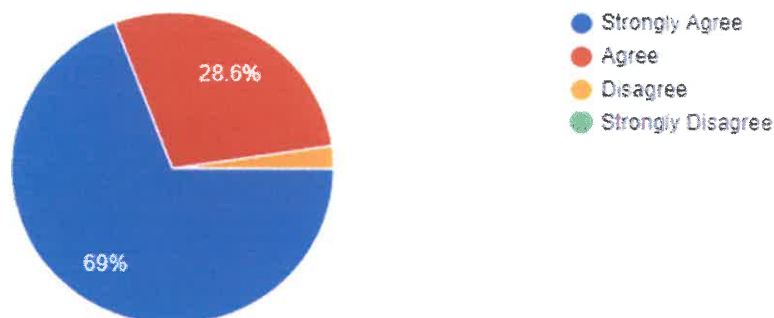
42 responses



At Clear Creek School, adults work hard to ensure a safe and supportive learning environment.

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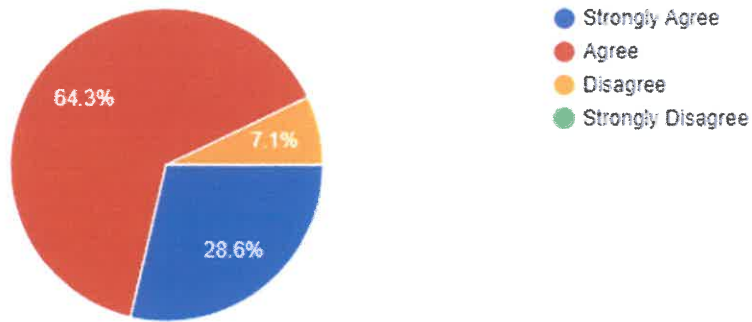
42 responses



Clear Creek School sets high standards for academic performance for all students.

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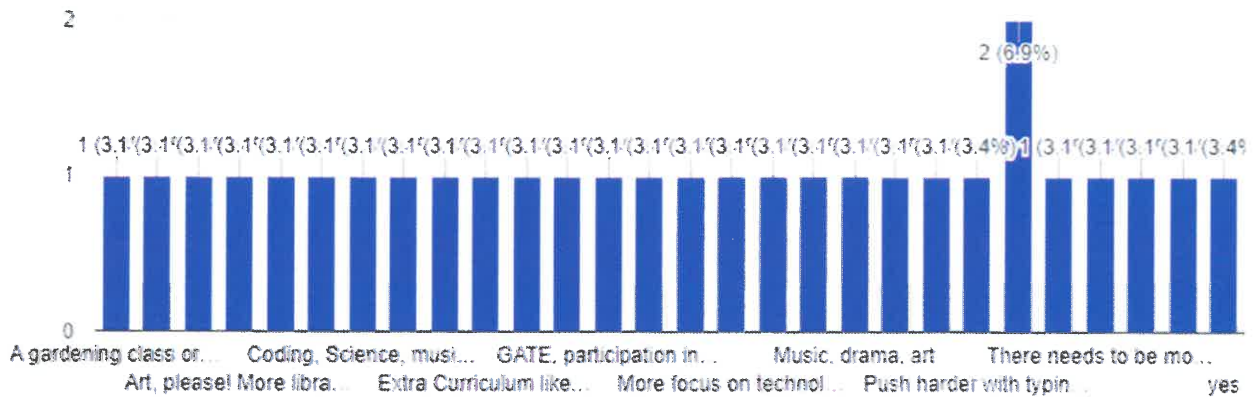
42 responses



Are there courses or other areas of study that would be beneficial? Suggestions for added success:

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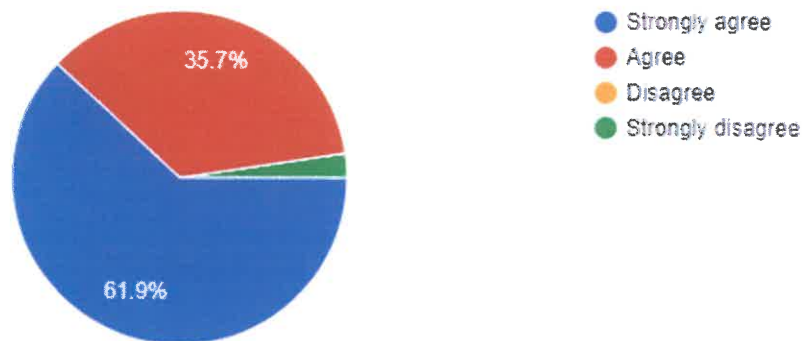
29 responses



Clear Creek School sets clear standards of behavior and school rules are communicated.

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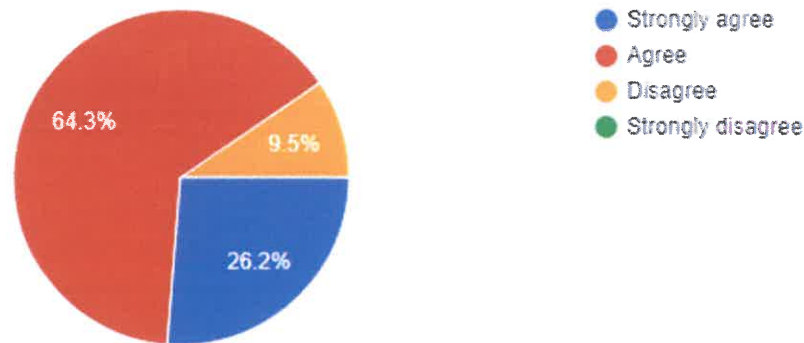
42 responses



Clear Creek School offers age-appropriate and regular opportunities for our students to interact with technology.

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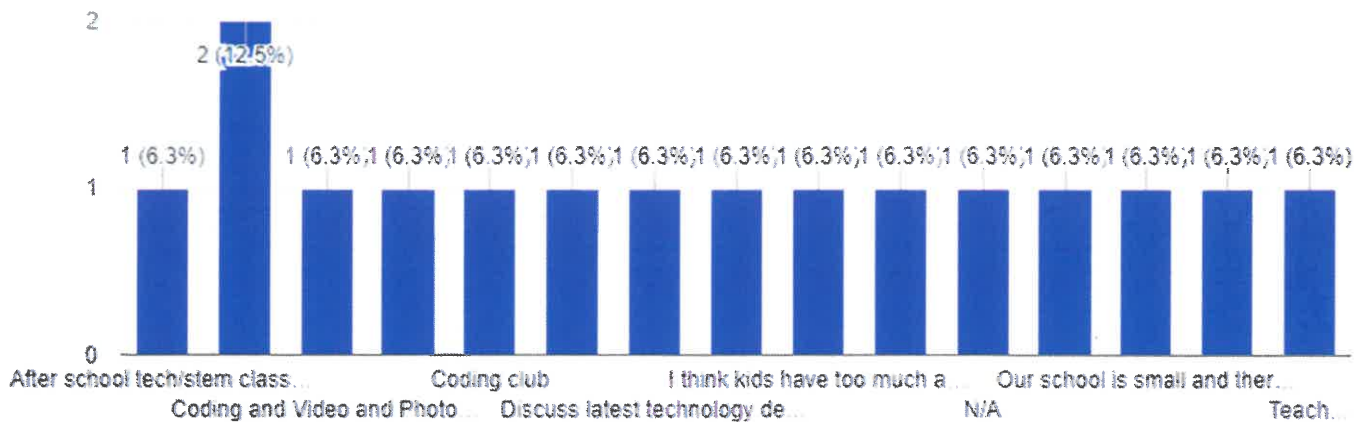
42 responses



Suggestions for added technology opportunities:

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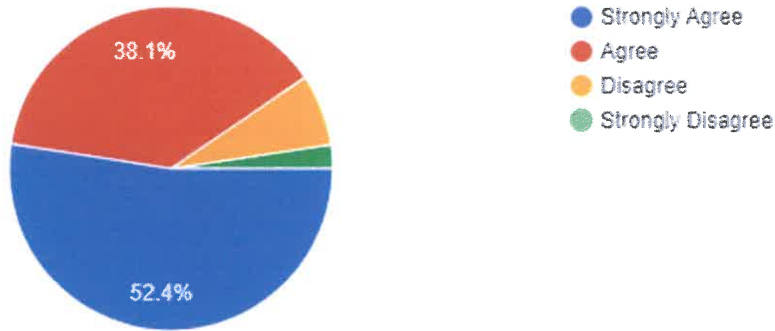
16 responses



Information is communicated to parents regarding upcoming events, ways to be involved, and school decisions.

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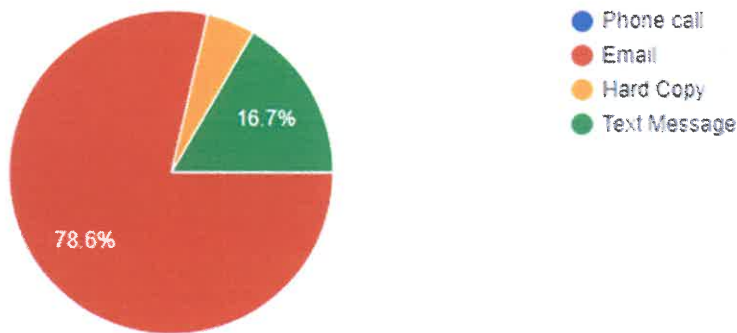
42 responses



What is your preferred method of communication for upcoming events, ways to be involved, and school decisions?

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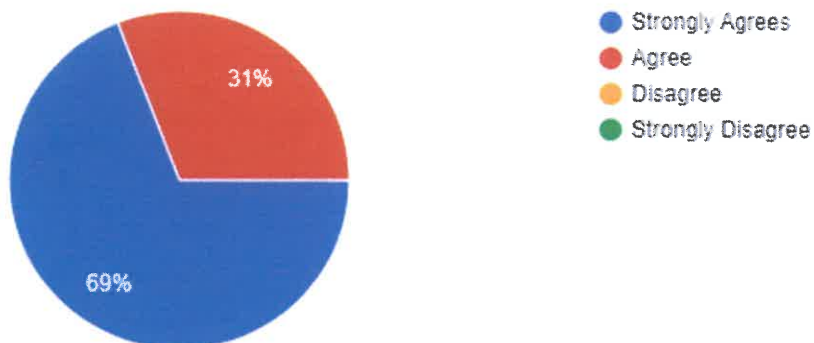
42 responses



Clear Creek School is welcoming and facilitates parent involvement.

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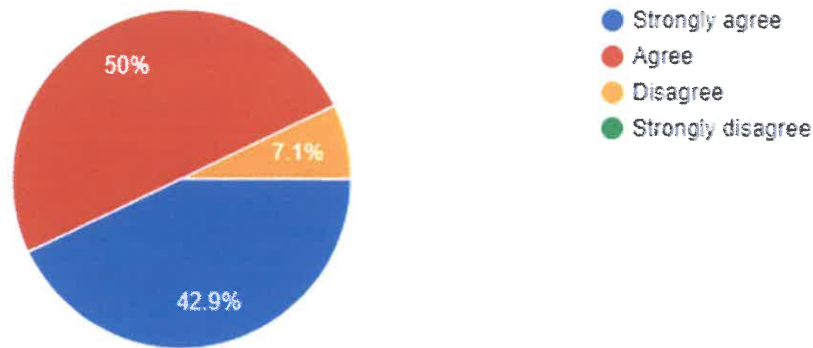
42 responses



Clear Creek School facilities are in good repair, safe and conducive for learning.

 Copy

42 responses



More aides in the classrooms.

The playground structures need to be updated and repaired. The children need more space to run, climb, and have unstructured play outside. Students need an afternoon recess.

Rebuild the gym (make larger) so that sports like basketball and volleyball can be hosted can

More LIBRARY time for students

Updated outdoor equipment, including play areas, sitting areas. Would love to see more tables benches, places for students to work and eat outdoors.

The playgrounds could be updated.

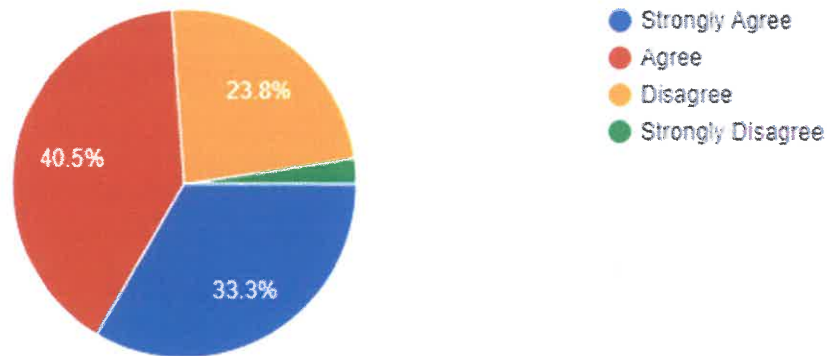
Water bottle filling station and filter

Bathrooms need repair.

Clear Creek School provides your child with age-appropriate opportunities to participate in other curricular activities to encourage a well-rounded educational experience.

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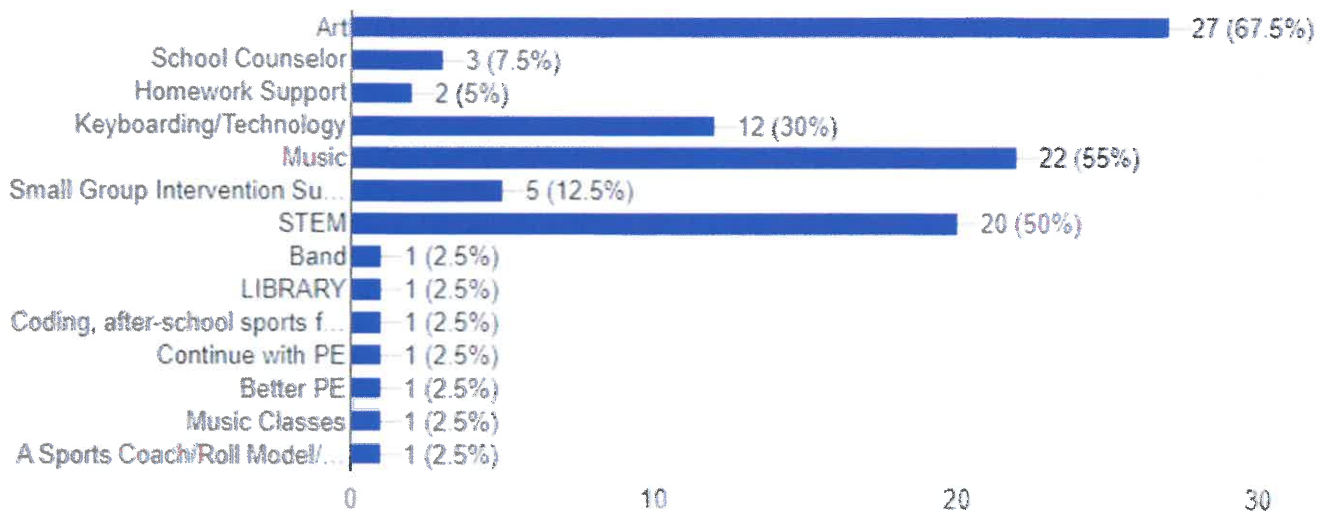
42 responses



Please select your top choices to improve school offerings:

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40 responses



What do you appreciate most about Clear Creek School?

32 responses

The kind staff.

that it is a small school

Community

Small community feel

Great staff who cares about the students

I appreciate the leadership evident from Mr. Triplett and his strong staff of teachers. I also sincerely appreciate the extra time Mrs. Gilliland has been assigned to work with children. My child has seen a lot of growth from her small-group attention and focus. Lastly, I appreciate the healthy and happy energy from the school office. Those ladies bring a lot of sunshine.

I like the smaller size that makes the school experience more intimate for my child.

Small school, half of teachers are locals and appreciate "country" life

Small class size. Surrounding districts at max capacity and not enough adult supervision, the biggest reason we moved our children here was for their safety. A small class size, where adults can monitor children's behavior is of the utmost importance to our family. Our children are thriving at Clear Creek, whereas they were just trying to survive at another school.

The community. The staff. The location.

The small class sizes and wonderful teachers & staff who clearly love the students!

I love how the small class sizes have really helped my children feel included, seen, and supported. I would hate to see numbers in classes surpass 20. I appreciate the teachers and staff and how present they are with students. I would love to see more support staff, especially at recess where most peer disagreements occur. I appreciate the school's close-knit community. I think it would be great to see more diversity represented in school art, programs, and events. This county is often sheltered from the bigger, global community and I have heard of students lacking awareness of how their actions and behavior or inappropriate and hurtful to others

I do appreciate a renewed sense of school pride. I hope to see this continue to grow. I believe children need strong boundaries and clear consequences that are consistent and I have seen this more this year than in the recent past. This is a positive change.

For future thought, and to hear more feedback from a greater number of families, some thought could be put into the barriers of this survey. Especially for those that do not feel comfortable with writing. More choice options for those that may not know what to ask for. A neutral/neither agree or disagree option would be a nice addition. Also, multiple reminders. I almost forgot about it as it got buried under new emails.

I love that my son loves school so much. A big part of that is how amazing his teacher is.

I appreciate that it feels like a big family.

The new principal!!!!

The class sizes are smaller

The high standards in both academic and behavior. I appreciate the strong team effort between the administration.

Happy to see more discipline and consequences this year.

It's small therefore it's more like family.

We really enjoy the small school feel and attention that brings to the children, the CCS teachers and staff are wonderful, very nice kept campus.

Small size for a more personal education experience.

Warmth and connectedness, the positive attitudes of most staff, the dances and events offered to students.

It's a big family

Small safe environment with commitment to keeping kids young.

Close relationships- everyone helping everyone

Small class sizes

Sweet, lovely school. Warm, welcoming environment

Our teachers are genuinely kind and give the impression that they love their jobs. Our new Principal Mr. Triplett is a breath of fresh air. He motivates kids to be better people and good citizens and he holds kids accountable for their actions This is a boy heavy school and it's wonderful to have such a strong male role model in this position.

The community of the school and that my daughter loves it

Dedicated staff

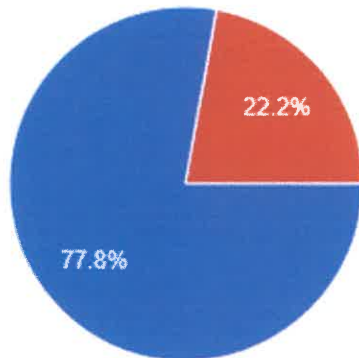
Community and parents being involved with school programs

The staff

2024 Staff LCAP Results

What is your position at Clear Creek School?

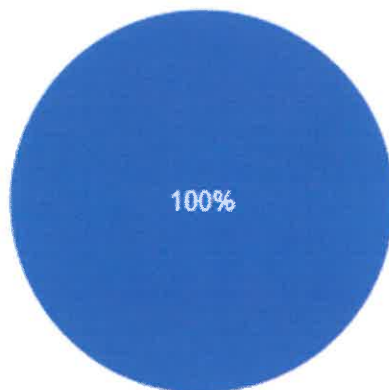
9 responses



- Certificated Staff
- Classified Staff

Children feel safe at Clear Creek School.

9 responses



- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

At Clear Creek School, adults work hard to ensure a safe and supportive learning environment.

9 responses

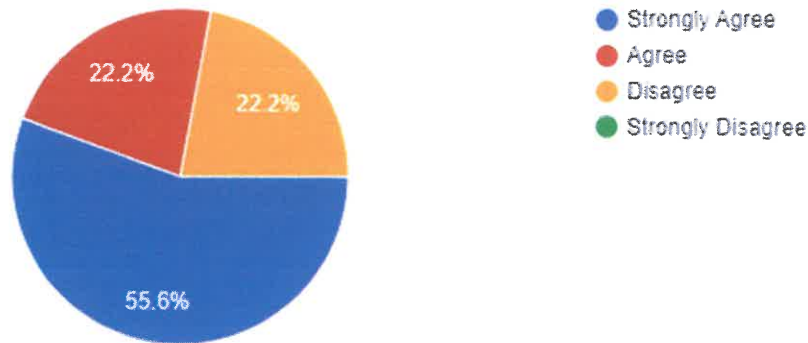


- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

Clear Creek School sets high standards for academic performance for all students.

 Copy

9 responses



Are there courses or other areas of study that would be beneficial? Suggestions for added success:

5 responses

writing

Art, STEM

Some accelerated learning class for high achieving students. Garden class taught by someone other than the teacher.

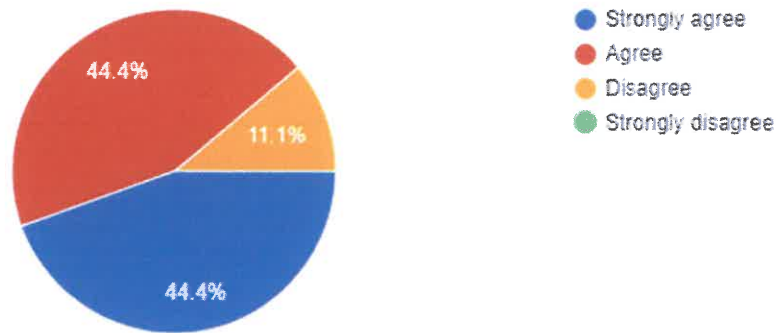
With the growing diversity of student needs and the desire to provide more individualized support, having extra hands in the classroom would greatly benefit both students and teachers. Increased assistance from aides will facilitate small group instruction, address specific learning needs, and contribute to a more inclusive and effective educational experience.

Would love to see more attention given to extra-curricular subjects: performing arts, art (more study of techniques and principles), music, coding, STEM. Paying additional instructors to come in for these enrichment opportunities. |

Clear Creek School offers age-appropriate and regular opportunities for our students to interact with technology.

 Copy

9 responses



Suggestions for added technology opportunities:

4 responses

Robotics, coding

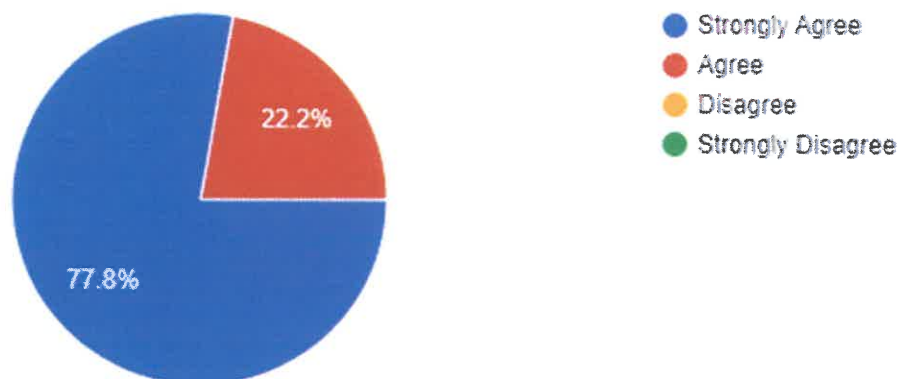
Updated Chromebooks

Camp Cougar computer opportunity

Easier school to home communication. Coding Courses for students. I would love to see more explicit instruction in using computer programs (Google Suite, etc.)

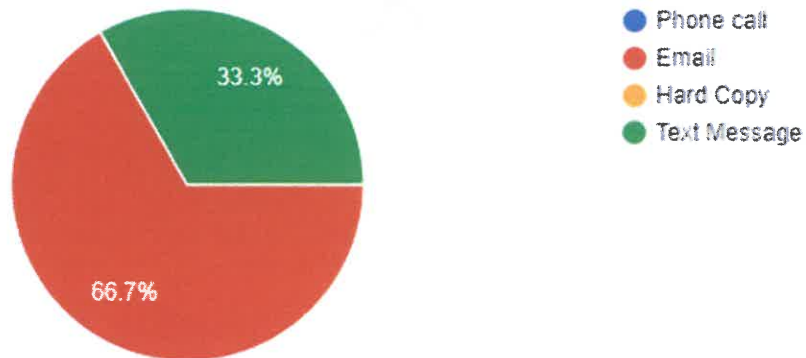
Information is communicated to parents regarding upcoming events, ways to be involved, and school decisions.

9 responses



What is your preferred method of communication for upcoming events, ways to be involved, and school decisions?

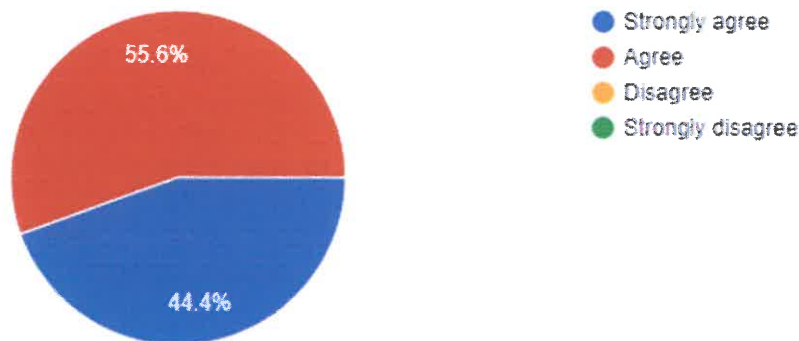
9 responses



Clear Creek School facilities are in good repair, safe and conducive for learning.

 Copy

9 responses



Suggestions to improve facilities and/or learning environment:

4 responses

Bathrooms remodeled, improved drinking fountains.

Having the little kid bathrooms closer to the little kid classrooms. A water fountain closer to the blacktop. Updating playgrounds, both big and little kids.

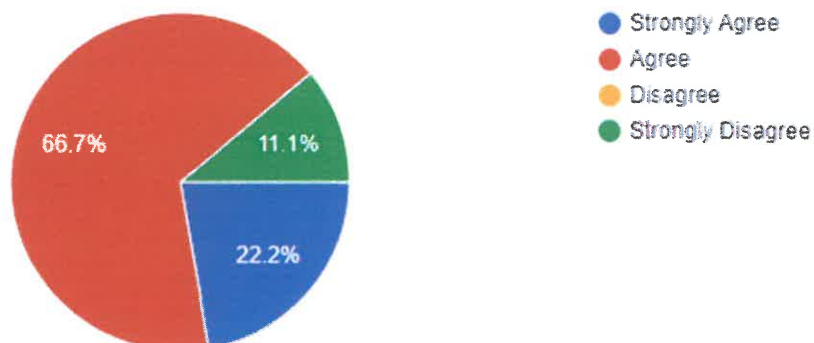
Reallocate time and/or cleaning schedule to sanitize classrooms; 10 minutes daily for vacuum/trash removal is not enough custodial time in classrooms. Updating aging playground equipment, introducing more diverse play structures, and creating designated zones for various activities to cater to different age groups and interests. Additionally, enhancing green spaces, adding shade structures, and incorporating eco-friendly features to build an outdoor "classroom."

More outdoor activities/options for students. Dedicated PE space, not limited to half of the gym. PE should have priority to space over recess. Outdoor eating during lunch. Increased classroom storage.

Clear Creek School provides children with age-appropriate opportunities to participate in other curricular activities to encourage a well-rounded educational experience.

 Copy

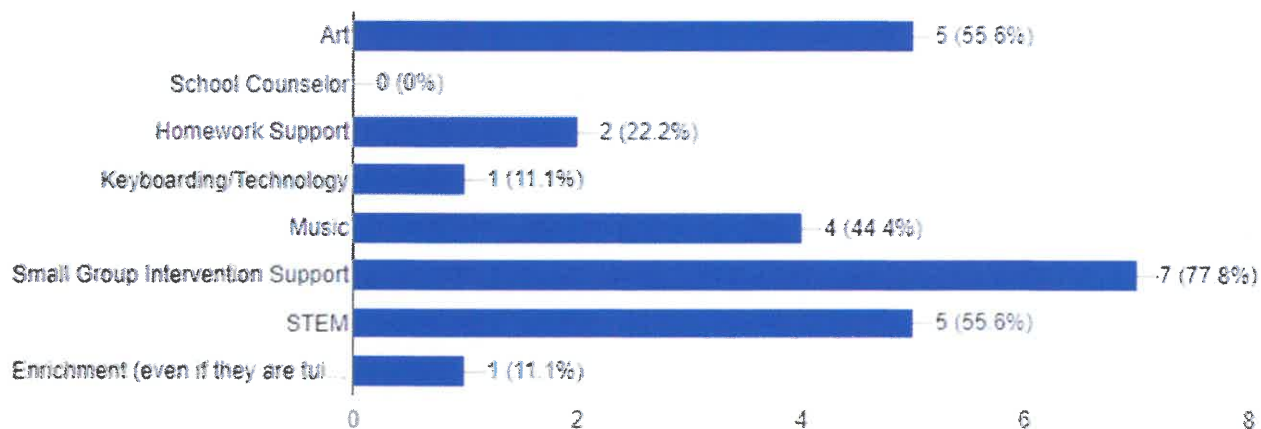
9 responses



Please select your top choices to improve school offerings:

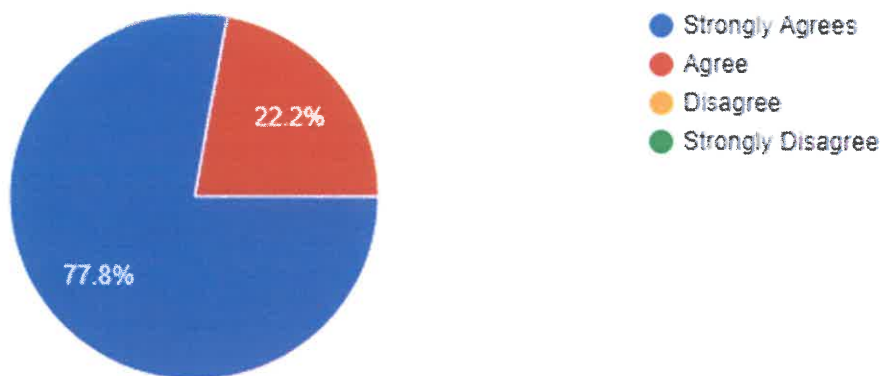
 Copy

9 responses



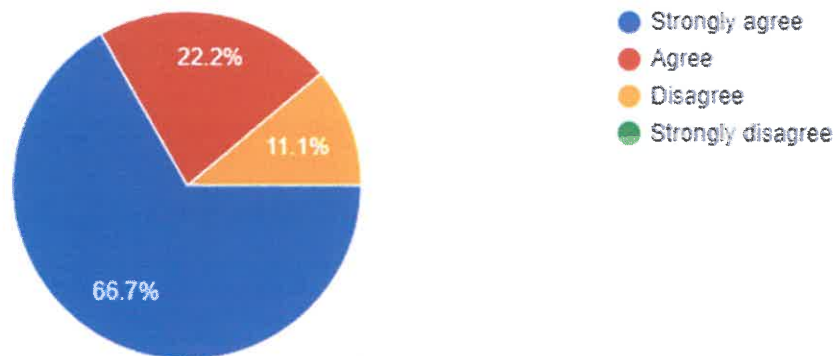
Clear Creek School is welcoming and facilitates parent involvement.

9 responses



Clear Creek School sets clear standards of behavior and school rules are communicated.

9 responses



What do you appreciate most about Clear Creek School?

7 responses

Staff is well connected to each other.

Everything

How supportive and involved the entire Clear Creek community is (staff, board, parents, families, neighbors, etc.).

The collaborative nature of the staff. It really feels like everyone is working together to do the best for our students. I feel supported as a teacher and feel heard when I express concerns.

I highly value and appreciate the collaborative spirit among my coworkers. Our collective efforts and teamwork create a positive and productive work environment, fostering creativity and problem-solving. It's truly gratifying to be part of a team where diverse perspectives are embraced, and each member's contributions are recognized, leading to shared success in our endeavors.

Families helping families

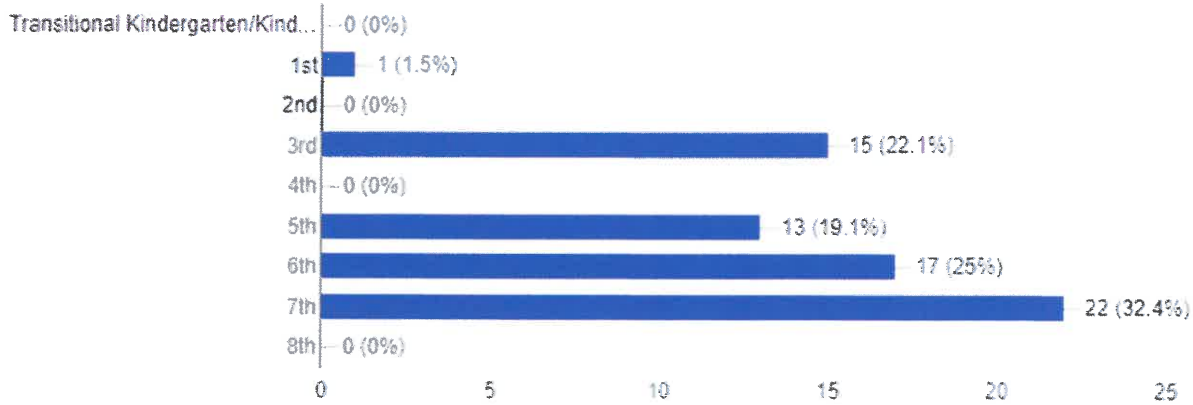
I appreciate the community. Staff is involved and willing to support students. Clear Creek has a wonderful atmosphere. It is easy to come to work everyday! I love the small class sizes and appreciate that there are not combo classes. I am grateful for administration that values teachers and staff and actively works to find ways to provide more support staff. I feel the addition of PE has improved student learning and behavior, as well as improving the work-load on teachers. I hope to see this stay and eventually expand. I value the environment Clear Creek has moved into that encourages growth and change and works against becoming stagnant.

2024 LCAP Student Results

What grade are you in?

 Copy

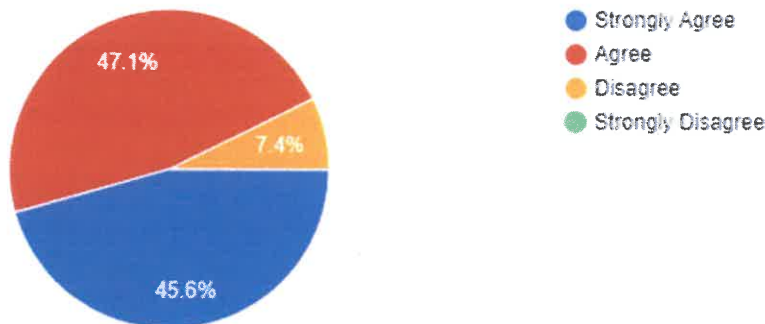
68 responses



At Clear Creek School, adults work hard to ensure a safe and supportive learning environment.

 Copy

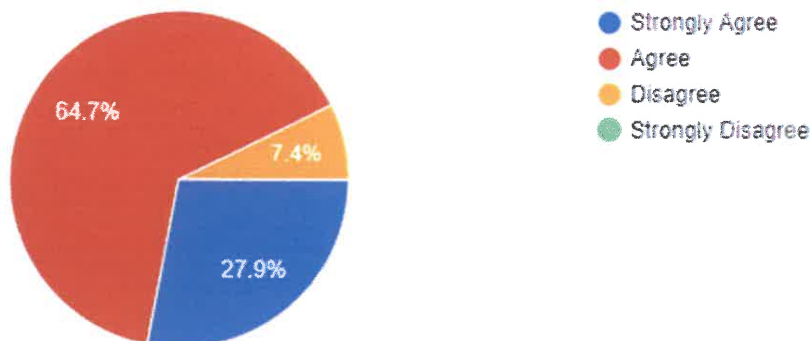
68 responses



I feel safe at Clear Creek School.

 Copy

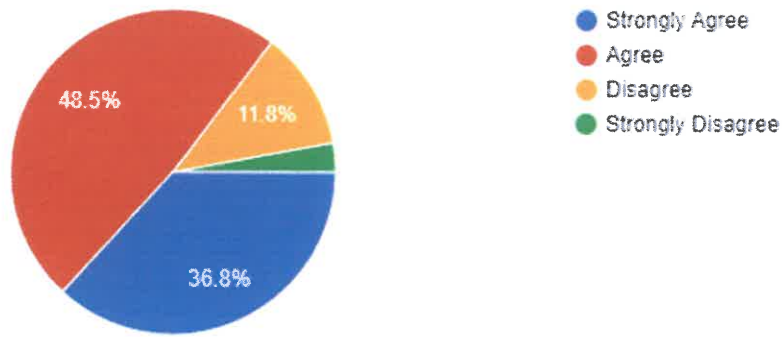
68 responses



Clear Creek School sets high standards for academic performance for all students.

 Copy

68 responses



Are there courses or other areas of study that would be beneficial? Suggestions for added success:

59 responses

no

art

Music

N/A

if they added cooking classes or art

i think so

I don't know what that means

.

more art.

yes classes like art

STEM

Art or a robotics program would be a great learning opportunity for the school

fishing because FISH!

coding classes are what i excel at and are fun

nothing

homework club after school

I think that clear creek does a good job academically.

No

?

not that i know of.

Programming and cooking classes

Ag science or work shop

a better science program

no not really

finance

more variety of equipment for lunch resects.

ion know

Acting

spanish

maybe

cooking class

I think we need a chemistry class in this school.

yes

baking

I wish there was more classes, like engineering class

art class

technology class

music class

stem class

ancient warfare learning

art music codeing

i think we should start after school classes like coding

Art and music.

I think all of it is completely fine

music, art, stem

I think there should be an art class

art, and music because i think it would be a good after school thing or in school

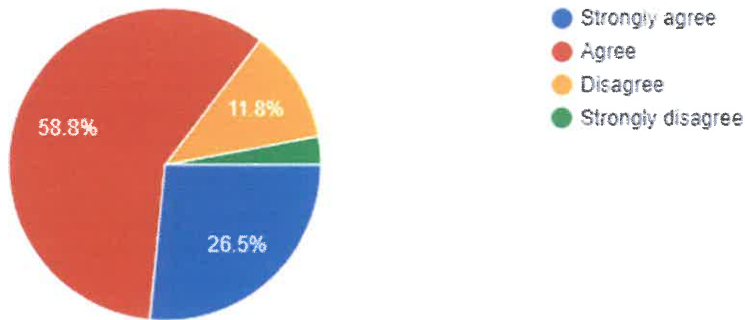
music and art please because i feel like we could have art in the gym at least 2 a month if not 1 time a month. And music i would love to have music because i think it will be benefictual to have some music and art.

Legos, Cooking, Animals, Spanish, Minecraft

Clear Creek School offers age-appropriate and regular opportunities for our students to interact with technology.

 Copy

68 responses



Suggestions for added technology opportunities:

54 responses

Everything's fine here! My class already has touch screen Chromebooks!

tablets for the other grades (3rd to 8th)

.

i dont know.

nooooooooooooo

STEM

more life sims for sience on computers

robot goats.

no more projectors

coding classes and when students are studying or doing something music of their choice

book tablets to read on

phones

n/a

More interaction with our chromebooks

computer room

they dont rily give us changes on our computers unless we are doing like an online math or something.

Programming

Mouse for computers

tablets

phones for free time?

coding

ion know

maybe we sould get touch screen computers

maybe just no I mean NO bad and weird stuff

None

It's fine just like this

macbook

PHONES

tablet

science

new computers

tablit

art

i think we should get code monkey

Code Monkey

code monkey

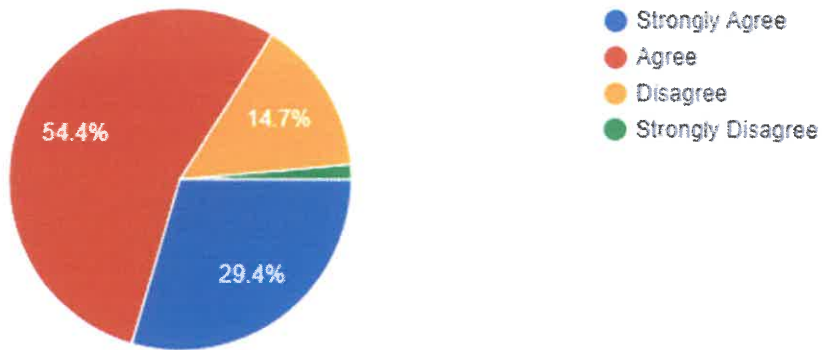
there should be a program to learn to read/write

coding classes

Research Plants, Computers, Robots, Minecraft

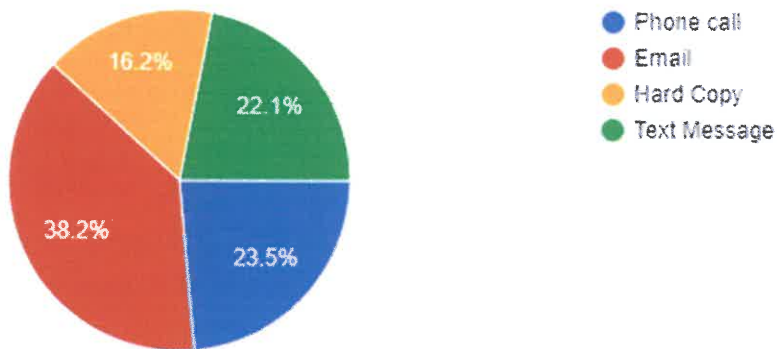
Information is communicated to parents regarding upcoming events, ways to be involved, and school decisions.

68 responses



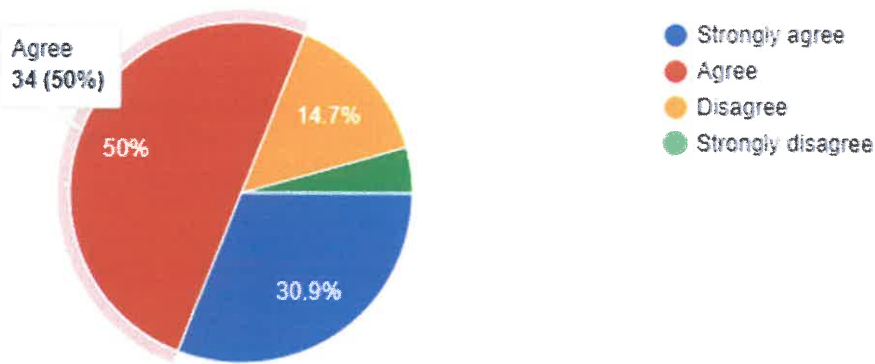
What is your preferred method of communication for upcoming events, ways to be involved, and school decisions?

68 responses



Clear Creek School facilities are in good repair, safe and conducive for learning.

68 responses



Suggestions to improve facilities and/or learning environment:

56 responses

yes

make water fountains better

anything i guess

i think the school is great and doesn't need any changes :)

art.

nooooooooooooooooo

get better water

Diabetic education for all!

there should be more taken care of buildings and maybe an actual basketball court for school sports in the gym that's regulated

CLEAR WATER!!

i guess anything

coding classes allowing students to play music allowing students to choose what they are good at and they do what they do it

classes

room

fix play ground

increase fence height; too many balls go over

Get better outdoor things, basketballs ect

Higher fences and ability to play on the playground would be nice.

new gym

?

nothing.

add more to our outdoor playground, not much do to g

Ag classes, locker rooms, lockers

make the gym bigger for sports

closer bathrooms the the clasroom.

i dont know

fix the play ground we should also have lockers for the older grades and maybe

cleaner bathrooms

fix the boys bathroom

the boys bathroom and the big playgruond

I think the big slide on the playground needs to be fixed.

a water founten on the blacktop

lockers, more P.E time dodge ball

bolley ball net, pickle ball, lockers, vending mishean

we could have volloyball that will be fun because i am in 5 and we are not aloud to join the team until 6 grade so if we have one outside where the yard is.

the slide

fix the big slide!

fix the playground's big slide,there's a HUGE crack.

fix the big slide on the field

The slide shood be fixed

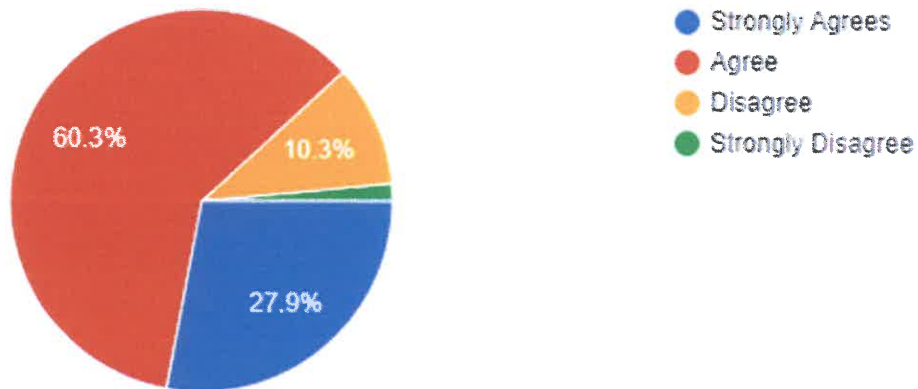
lockers, art

i think we should get lockers

lockers, vollyball net.

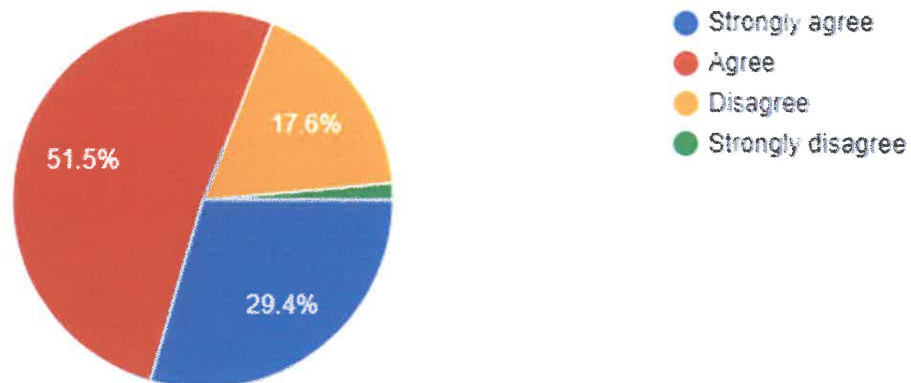
Clear Creek School is welcoming and faciliates parent involvement.

68 responses



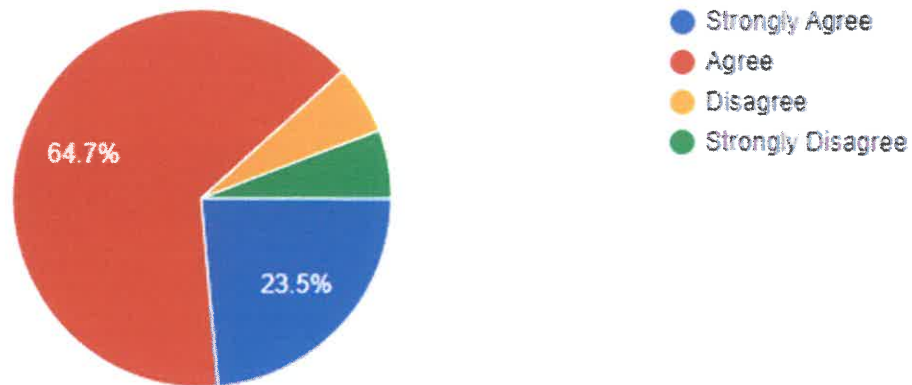
Clear Creek School sets clear standards of behavior and school rules are communicated.

68 responses



Clear Creek School provides children with age-appropriate opportunities to participate in other curricular activities to encourage a well-rounded educational experience.

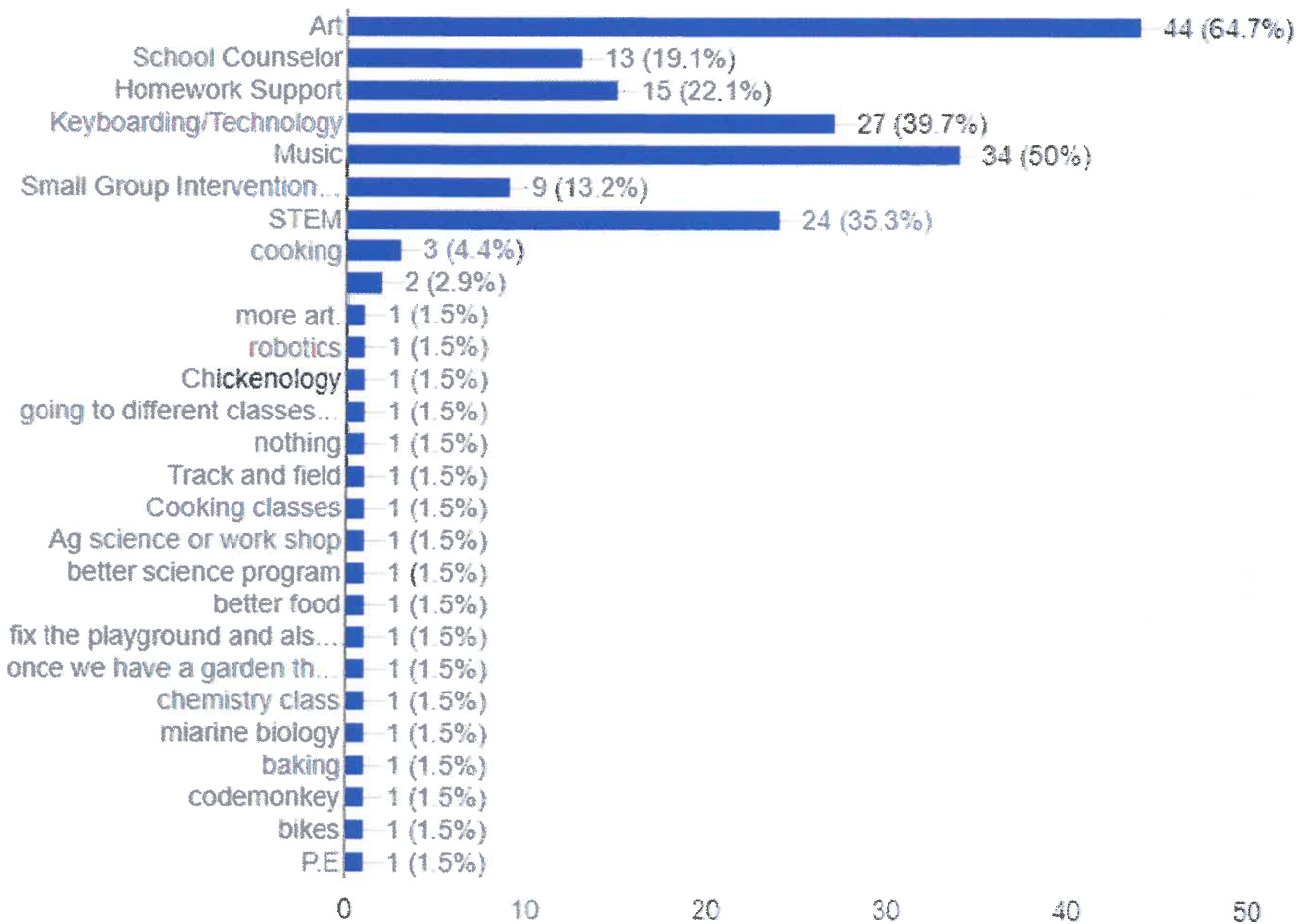
68 responses



Please select your top choices to improve school offerings:

Copy

68 responses



What do you appreciate most about Clear Creek School?

63 responses

teachers

most of the teachers are cool

learning

that i can talk to my friends here

how the teachers work they are really working hard

My teacher! 😊

The teachers!

nothing? i dont really like going to school, i would rather sleep. \\\

our princable

most of the teachers are nice

Education.

the 6th grade teacher and miss poppy

ThE fLoOr!

all the teachers they work really hard

free time and the free lunches and mostly above all ping pong i want there to be more ping pong

the comunity

the people

My friends

the thing i appreciate the most about clear creek school is I go there

the environment

The school grounds can be really beautiful at times.

I appreciate that the people are kind and bad behavior is not tolerated.

N/A

i dont know but please are recess is like 2 mins long PLEASE MAKE IT LONGER

Nice people and every one knows each other like a small community

my bf since he goes here

The people, i love everyone here because they have been extremely nice to me. Especially my best friend!

Everything

sports

a lot

that every staff is nice

sports

the most i appreciate about the school is the staff.

Angie and Mrs.Smith

The classes

mrs. poppy

playtime

mrs.popy

I appreciate that we have a School Counselor who comes almost every day on Wed and Friday.

that i'm learning

how safe it is

the kid

that it teaches us

feeld

that I can see my friend

camp cougar

teachers are nice

its safe

i like my school

the learning

the teachers

i love how the teachers take their time to help you

yes

the teachers

The principal is nice and strict.

that we have good school sytoms

how we are all together and the stafs

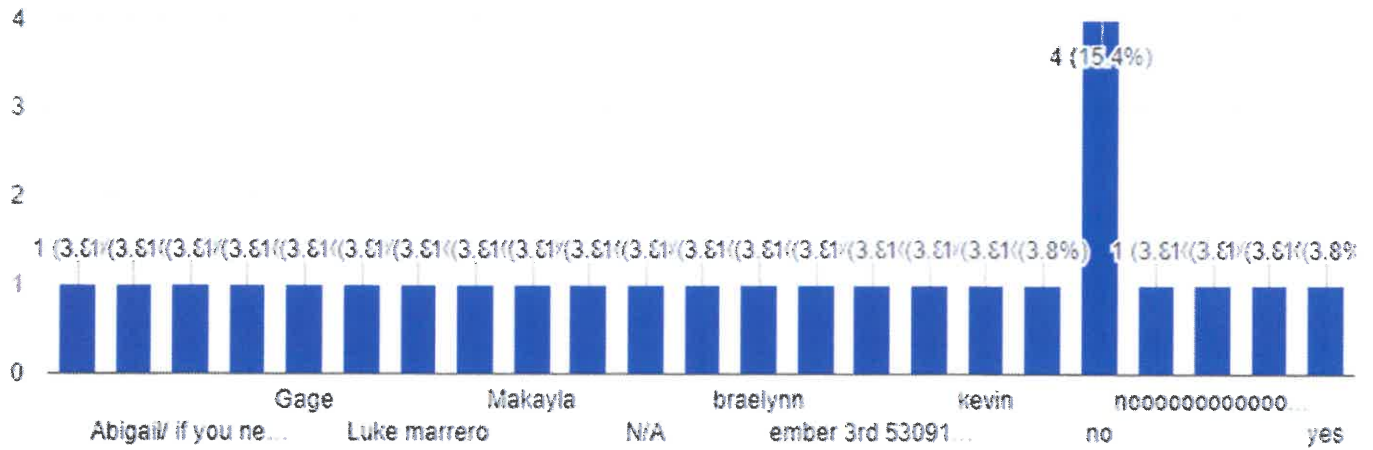
The teachers

Tablets, Class sizes, Teachers, Students, Help us Learn, Math, PE, Field, Playgroud, PE

If you would like to be contacted to discuss your responses please leave your name and contact information below.



26 responses





SCOTT W. LAY, SUPERINTENDENT

380 Crown Point Circle
Grass Valley, CA 95945
530-478-6400 · fax 530-478-6410

March 1, 2024

Board of Trustees
Clear Creek Elementary School District
17700 McCourtney Road
Grass Valley, CA 95949

Honorable Board of Trustees:

Thank you for the timely submission of your 2023/2024 First Period Interim Report. In accordance with the provisions of Education Code Section 42127, our office has completed its review (commonly referred to as the "AB 1200" review) of this report.

Our office reviewed the data submitted, including the Local Control Funding Formula Calculator, Criteria and Standards, Multi-Year Projections, Cash Flow, and other pertinent information and **concurs with the positive certification** approved by the Governing Board in December of 2023.

We commend your Administration, particularly your Business Official for the clear and concise narrative and documentation provided with this report. It demonstrates that the Board is well informed and made our review of your data seamless.

Based on our review, we want to make special note of the following:

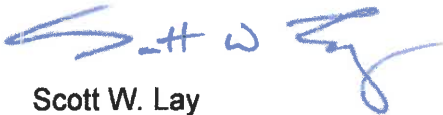
- The District experienced a slight increase in enrollment in the current year. We hope this trend continues and students return to Nevada County in future years. We support your conservative approach to projections based on prior year trends and current student counts.
- Multi-year revenue projections are based on funded Average Daily Attendance (ADA) calculated on current enrollment projections and conservative revenue factors. We support the use of these factors based on current State budget proposals and future attendance estimates.
- We note projected unrestricted general fund deficit spending of (\$31,390) in 2023/2024, (\$107,548) in 2024/2025 and (\$73,184) in 2025/2026. We see that some of this is planned for one-time purchases in future years. We encourage the District to work on a budgetary reduction plan that will eliminate deficit spending as soon as possible to ensure financial stability in future years.
- Reserves are projected to be more than the required 5.00% at more than 22.00% each year, however, this amount declines over time with deficit spending. We encourage you to strategically manage reserves during these challenging times to maintain programs and fiscal solvency but build them back up to higher levels when State funding increases in future years.

The current proposed State Budget reflects a slowing economy. We have reached the point when one-time funding for pandemic relief expires, State revenue collections are low, inflation is high, and the overall State economy is uncertain. Unfortunately, with fluctuating enrollment and the expiration of one-time revenue, the district may need to reduce spending in future years to maintain fiscal solvency.

We are proud of the amazing services our schools continue to offer our students, families, staff, and community through these unique times. As always, we are here and available to assist in any way we can. Thank you for your dedicated leadership.

Technical corrections and recommendations relating to this report will be sent directly to the Business Official of your District. If you have any questions or concerns, please contact Darlene Waddle in our business office, at (530) 478-6400 x 2019.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. W. Lay". The signature is stylized and includes a large flourish at the end.

Scott W. Lay
Nevada County Superintendent of Schools

cc: District Superintendent
Business Official