

Cuyama Joint Unified School District

Continuing Disclosure Annual Report
Fiscal Year Ended June 30, 2024

Prepared by:

Isom Advisors A Division of
URBAN FUTURES | Incorporated

Cuyama Joint Unified School District
2300 Highway 166
New Cuyama, California 93254

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I. Introduction

The Cuyama Joint Unified School District ("District") hereby provides its continuing disclosure annual report pursuant to the Continuing Disclosure Agreements in connection with the following financings for the fiscal year ended June 30, 2024 ("Annual Report"):

Exhibit 1
Financings
Cuyama Joint Unified School District

Base CUSIP	Financing
232411	General Obligation Bonds, Election 2016, Series A (2016)
232411	General Obligation Bonds, Election 2016, Series B (2019)

II. Audited (or Unaudited Actual) Financial Statements

The District's Unaudited Actual financial statements for the fiscal year ended June 30, 2024 have been submitted separately to EMMA (Electronic Municipal Market Access). The audited financial statements for fiscal year ended June 30, 2024 will be submitted once they are made available by the District.

III. Adopted Budget

The District's adopted budget for fiscal year 2024-25 has been submitted separately to EMMA (Electronic Municipal Market Access).

IV. Assessed Valuation (Prior & Current FY)

See Appendix A for assessed valuation in the District for the prior and current fiscal year.

Source: California Municipal Statistics, Inc.

V. Secured Tax Charges and Delinquencies

Santa Barbara, Ventura and San Luis Obispo Counties participate in the Teeter Plan, therefore the District does not realize property tax delinquencies but is paid 100% of property taxes levied in the District, regardless of delinquencies.

Appendix A

Assessed Valuation (Prior & Current FY)

November 26, 2024

CUYAMA JOINT UNIFIED SCHOOL DISTRICT

Assessed Valuations

San Luis Obispo County Portion

	<u>Local Secured</u>	<u>Utility</u>	<u>Unsecured</u>	<u>Total</u>	<u>Change</u>
2022-23	\$58,971,899	\$0	\$4,989,654	\$63,961,553	
2023-24	\$60,464,988	\$0	\$6,278,853	\$66,743,841	4.3%
2024-25	\$60,925,191	\$0	\$7,103,504	\$68,028,695	1.9%

Santa Barbara County Portion

	<u>Local Secured</u>	<u>Utility</u>	<u>Unsecured</u>	<u>Total</u>	<u>Change</u>
2022-23	\$238,068,778	\$10,896	\$13,649,675	\$251,729,349	
2023-24	\$248,180,150	\$10,896	\$17,107,688	\$265,298,734	5.4%
2024-25	\$262,099,485	\$10,896	\$18,339,836	\$280,450,217	5.7%

Ventura County Portion

	<u>Local Secured</u>	<u>Utility</u>	<u>Unsecured</u>	<u>Total</u>	<u>Change</u>
2022-23	\$33,682,167	\$0	\$11,547,742	\$45,229,909	
2023-24	\$35,880,316	\$0	\$11,065,107	\$46,945,423	3.8%
2024-25	\$39,586,881	\$0	\$3,233,214	\$42,820,095	-8.8%

Total District

	<u>Local Secured</u>	<u>Utility</u>	<u>Unsecured</u>	<u>Total</u>	<u>Change</u>
2022-23	\$330,722,844	\$10,896	\$30,187,071	\$360,920,811	
2023-24	\$344,525,454	\$10,896	\$34,451,648	\$378,987,998	5.0%
2024-25	\$362,611,557	\$10,896	\$28,676,554	\$391,299,007	3.2%



Submission ID: P11387482

Submission Date: 3/27/2025 6:44 PM

Status: PUBLISHED

Disclosure Categories

Voluntary Disclosure

Budget: Adopted Budget FY 2024-25, for the year ended 06/30/2025

Document

File

[Adopted Budget FY 2024-25 - Cuyama JUSD.pdf](#)

Period Date

03/27/2025

Associated Securities

The following are associated with this continuing disclosure submission.

CUSIP-6

Issuer Name

232411 CUYAMA JOINT UNIFIED SCHOOL DISTRICT (SANTA BARBARA, VENTURA AND SAN LUIS OBISPO COUNTIES, CALIFORNIA)

Total CUSIPs associated with this submission: 5

The disclosure will be published for the following securities.

CUSIP-9	Issue Description	Dated Date	Maturity Date	Coupon (%)
232411AK4	GENERAL OBLIGATION BONDS ELECTION OF 2016, SERIES B (2019)	02/12/2019	08/01/2039	3.5
232411AL2	GENERAL OBLIGATION BONDS ELECTION OF 2016, SERIES B (2019)	02/12/2019	08/01/2048	5.25
232411AC2	(SANTA BARBARA, VENTURA AND SAN LUIS OBISPO COUNTIES, CALIFORNIA) GENERAL OBLIGATION BONDS ELECTION OF 2016, SERIES A (2016)	11/08/2016	08/01/2036	4
232411AD0	(SANTA BARBARA, VENTURA AND SAN LUIS OBISPO COUNTIES, CALIFORNIA) GENERAL OBLIGATION BONDS ELECTION OF 2016, SERIES A (2016)	11/08/2016	08/01/2041	4.5
232411AE8	(SANTA BARBARA, VENTURA AND SAN LUIS OBISPO COUNTIES, CALIFORNIA) GENERAL OBLIGATION BONDS ELECTION OF 2016, SERIES A (2016)	11/08/2016	08/01/2046	5

Submitter's Contact Information

Urban Futures Incorporated
Name: BRYAN MOORE
Address: 1470 MARIA LN.
City, State Zip: WALNUT CREEK, CA 94596
Phone Number: 9254787450
Email: bryan@isomadvisors.com

Issuer's Contact Information

Cuyama Joint Unified School District
Name: LeAnn Zayasbazan
Address: 2300 Highway 166
City, State Zip: New Cuyama, CA 93254
Phone Number: 661-766-2482
Email: lzayasbazan@cuyamaunified.org

Obligated Person's Contact Information



Submission ID: P11387485

Submission Date: 3/27/2025 6:46 PM

Status: PUBLISHED

Disclosure Categories

Rule 15c2-12 Disclosure

Annual Financial Information and Operating Data: Annual Report FY 2023-24, for the year ended 06/30/2024

Document

File

[Annual Report FY 2023-24 Cuyama JUSD.pdf](#)

Period Date

03/27/2025

Associated Securities

The following are associated with this continuing disclosure submission.

CUSIP-6

Issuer Name

232411 CUYAMA JOINT UNIFIED SCHOOL DISTRICT (SANTA BARBARA, VENTURA AND SAN LUIS OBISPO COUNTIES, CALIFORNIA)

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Submitter's Contact Information

Urban Futures Incorporated
Name: BRYAN MOORE
Address: 1470 MARIA LN.
City, State Zip: WALNUT CREEK, CA 94596
Phone Number: 9254787450
Email: bryan@isomadvisors.com

Issuer's Contact Information

Cuyama Joint Unified School District
Name: LeAnn Zayasbazan
Address: 2300 Highway 166
City, State Zip: New Cuyama, CA 93254
Phone Number: 661-766-2482
Email: lzayasbazan@cuyamaunified.org

Obligated Person's Contact Information



Submission ID: P11391728
Submission Date: 4/17/2025 8:06 PM
Status: PUBLISHED

Disclosure Categories

Rule 15c2-12 Disclosure
Audited Financial Statements or ACFR: Audit FYE 2024, for the year ended 06/30/2024

Document

File	Period Date
Audit FYE 2024 - Cuyama JUSD.pdf	04/17/2025

Associated Securities

The following are associated with this continuing disclosure submission.

CUSIP-6	Issuer Name
232411	CUYAMA JOINT UNIFIED SCHOOL DISTRICT (SANTA BARBARA, VENTURA AND SAN LUIS OBISPO COUNTIES, CALIFORNIA)

Total CUSIPs associated with this submission: 5
The disclosure will be published for the following securities.

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Submitter's Contact Information	Issuer's Contact Information	Obligated Person's Contact Information
Urban Futures Incorporated Name: BRYAN MOORE Address: 1470 MARIA LN. City, State Zip: WALNUT CREEK, CA 94596 Phone Number: 9254787450 Email: bryan@isomadvisors.com	Cuyama Joint Unified School District Name: LeAnn Zayasbazan Address: 2300 Highway 166 City, State Zip: New Cuyama, CA 93254 Phone Number: 661-766-2482 Email: lzayasbazan@cuyamaunified.org	



Submission ID: P11387479

Submission Date: 3/27/2025 6:42 PM

Status: PUBLISHED

Disclosure Categories

Rule 15c2-12 Disclosure

Audited Financial Statements or ACFR: Unaudited Actuals FYE 2024, for the year ended 06/30/2024

Document

File

[Unaudited Actuals FYE 2024 - Cuyama JUSD.pdf](#)

Period Date

03/27/2025

Associated Securities

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CUSIP-6

Issuer Name

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Urban Futures Incorporated
Name: BRYAN MOORE
Address: 1470 MARIA LN.
City, State Zip: WALNUT CREEK, CA 94596
Phone Number: 9254787450
Email: bryan@isomadvisors.com

Issuer's Contact Information

Cuyama Joint Unified School District
Name: LeAnn Zayasbazan
Address: 2300 Highway 166
City, State Zip: New Cuyama, CA 93254
Phone Number: 661-766-2482
Email: lzayasbazan@cuyamaunified.org

Obligated Person's Contact Information



ANNUAL DEBT TRANSPARENCY REPORT
California Debt and Investment Advisory Commission, 915 Capitol Mall,
Room 400, Sacramento, CA 95814 P.O. Box 942809, Sacramento, CA
94209-0001 Tel.: (916) 653-3269 Fax: (916) 654-7440

CDIAC # : 2018-2998
Status: Submitted
06/06/2025

Information as of Reporting Year End: 6/30/2024

Issuance Information

Issuer Name:	Cuyama Joint Unified School District
Issue Name:	2016 Election 2019 GOBs
Project Name:	Series B
Actual Sale Date:	1/29/2019
Settlement Date:	2/12/2019
Original Principal Amount:	\$2,000,000.00
Net Original Issue Premium/Discount:	\$225,483.90
Proceeds Used to Acquire Local Obligations (Marks-Roos Only):	\$0.00
Total Reportable Proceeds:	\$2,225,483.90
Total cost of issuance from Report of Final Sale:	\$158,522.70

Issuance Authorization

Authorization (1):	
Authorization Name:	Measure Q
Original Authorized Amount:	\$6,000,000.00
Authorization Date:	6/7/2016
Amount Authorized - Beginning of the Reporting Period:	\$2,000,000.00
Amount Authorized - During the Reporting Period:	\$0.00
Total Debt Authorized:	\$2,000,000.00
Debt Issued During the Reporting Period:	\$0.00
Replenishment Reported During the Reporting Period:	\$0.00
Total Debt Authorized but Unissued:	\$2,000,000.00
Authorization Lapsed:	\$0.00
Total Authorization Remaining - End of Reporting Period:	\$2,000,000.00

Principal Outstanding



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94209-0001 Tel.: (916) 653-3269 Fax: (916) 654-7440

CDIAC # : 2018-2998
Status: Submitted
06/06/2025

Principal Balance Upon Sale or at Beginning of the Reporting Period:	\$1,925,000.00
Accreted Interest – During Reporting Period:	\$0.00
Total Principal and Accreted Interest:	\$1,925,000.00
Principal Paid with Proceeds from Other Debt Issues – During the Reporting Period:	\$0.00
Principal Payments - During the Reporting Period (not reported as payments above):	\$0.00
Principal Outstanding – End of Reporting Period:	\$1,925,000.00

Refunding/Refinancing Issues

CDIAC #	Refunding/refinancing Amount	Redemption/Payment Date
No data available to display.		

Use of Proceeds

Report End Date	Begin Amount	Spent Amount	Remain Amount
6/30/2019	\$2,225,483.90	\$158,522.70	\$2,066,961.20
6/30/2020	\$2,066,961.20	\$671,975.20	\$1,394,986.00
6/30/2021	\$1,394,986.00	\$233,445.00	\$1,161,541.00
6/30/2022	\$1,161,541.00	\$5,000.00	\$1,156,541.00
6/30/2023	\$1,156,541.00	\$55,190.00	\$1,101,351.00
6/30/2024	\$1,101,351.00	\$5,000.00	\$1,096,351.00

Proceeds Spent/Unspent (Fund Level)

Fund Category	Total Reportable Proceeds Available	Proceeds Spent Current Reporting Period	Proceeds Spent Prior Reporting Period(s)	Proceeds Unspent / Remaining
BOND INSURANCE	\$8,522.70	\$0.00	\$8,522.70	\$0.00
CAPITALIZED INTEREST	\$66,961.20	\$0.00	\$66,961.20	\$0.00
CONSTRUCTION FUND	\$2,000,000.00	\$5,000.00	\$898,649.00	\$1,096,351.00
COST OF ISSUANCE	\$120,000.00	\$0.00	\$120,000.00	\$0.00



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CDIAC #: 2018-2998

Status: Submitted

06/06/2025

UNDERWRITER'S DISCOUNT	\$30,000.00	\$0.00	\$30,000.00	\$0.00
TOTAL:	\$2,225,483.90	\$5,000.00	\$1,124,132.90	\$1,096,351.00

Expenditures of Current Reporting Period

Fund Category	Purpose	Expenditure Amount
CONSTRUCTION FUND	PROJECTS	\$5,000.00
TOTAL:		\$5,000.00

Expenditure Summary

Fund Category	Purpose	Expenditure In Current Reporting Period	Expenditure In Prior Reporting Period(s)	Total Expenditure All Periods
BOND INSURANCE	BOND INSURANCE	\$0.00	\$8,522.70	\$8,522.70
CAPITALIZED INTEREST	CAPITALIZED INTEREST	\$0.00	\$66,961.20	\$66,961.20
CONSTRUCTION FUND	PROJECTS	\$5,000.00	\$898,649.00	\$903,649.00
COST OF ISSUANCE	COST OF ISSUANCE	\$0.00	\$120,000.00	\$120,000.00
UNDERWRITER'S DISCOUNT	UNDERWRITER'S DISCOUNT	\$0.00	\$30,000.00	\$30,000.00
TOTAL:		\$5,000.00	\$1,124,132.90	\$1,129,132.90

Refunded/Refinanced Issues

CDIAC #	Refunding/refinancing Amount	Redemption/Payment Date
No data available to display.		

Filing Contact

Filing Contact Name:	Bryan Moore
Agency/Organization Name:	Isom Advisors, A Division of Urban Futures, Inc
Address:	1470 Maria Ln.
City:	Walnut Creek



ANNUAL DEBT TRANSPARENCY REPORT
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Room 400, Sacramento, CA 95814 P.O. Box 942809, Sacramento, CA
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CDIAC # : 2018-2998
Status: Submitted
06/06/2025

State: CA
Zip Code: 94596
Telephone: 925-4787450
Fax Number:
E-mail: bryan@isomadvisors.com

Comments

Issuer Comments:

ADTR Reportable

Principal Outstanding – End of Reporting Period: \$1,925,000.00
Proceeds Unspent – End of Reporting Period: \$1,096,351.00
ADTR Reportable Next Reporting Year: Yes



06/18/2025

The California School Boards Association (CSBA) is pleased to provide the Cuyama Joint Unified School District of Santa Barbara County the following quote for GAMUT and policy services.

GAMUT Policy

Already Subscribed

CSBA's GAMUT Policy is an online policy information service that offers quick access to 650-plus sample board policies, regulations, bylaws, and their legal references, including the entire Education Code, Title 5 regulations and other referenced state and federal code sections. GAMUT Policy also features advanced search features, built in translations, and the ability to download sample policies and regulations to word processing programs for editing. The CSBA sample policies on GAMUT are updated regularly and GAMUT Policy users will receive email notifications to alert them when the CSBA sample policy manual has been revised.

GAMUT Policy Plus

Already Subscribed

CSBA updates approximately 100 policies every year just to stay up to date with changes in the law. Policy Plus is designed to help you stay on top of your policies and keep them current with the help of CSBA policy staff. With GAMUT Policy Plus you receive your own dedicated GAMUT webpage that integrates into your district website. The website allows you to manage and update policies directly on GAMUT. With Policy Plus you can post, edit and update your policies directly on GAMUT. Subscribers can take advantage of the track changes editor, advanced global search features, and the ability to integrate policies with your agendas. Policy Plus also includes ongoing policy consulting and gives you the option to submit your policies to CSBA for review before you adopt them. If you were not a previous Manual Maintenance or GAMUT Policy Plus subscriber, you will also need to go through a Policy Development Workshop (see below) to prepare your policy manual for the GAMUT website.

GAMUT Meetings

\$550/year

GAMUT Meetings is an online agenda and meeting management system that gives you an easy and efficient way to create and manage meetings online. GAMUT's paperless board meeting management application helps streamline meeting preparation and provides easy and secure access to meeting materials. Features include: multiple meeting types that allow you to manage all your meeting types in one convenient location; advanced search so you can quickly sort by meeting type, date, and more; private, secure personal notes on individual agenda items; customizable roles and permissions for users, meetings, and items; meeting minutes and voting; custom printing that allows you to integrate attachments and exhibits with your agenda; and advanced safety and security. Packed with time-saving features, GAMUT's paperless board meeting management software automates and simplifies routine tasks associated with meeting development and delivery.

GAMUT Documents**\$250/year**

CSBA's GAMUT Documents provides a central repository for Subscribers to store important documents on their GAMUT sites and to set permissions to allow specified users to access exactly what they need while keeping sensitive data secure. Users can create folders to classify and manage documents; upload multiple file types, including Word, Excel, PowerPoint, PDF or graphic files; set folder and file permissions for either public or private access; and create folder or file level alerts to be notified when new files are added.

GAMUT Communication**\$250/year**

GAMUT Communications adds news, calendar, and resource features to Subscriber's GAMUT website. The News tab allows subscribers to create news types for public or private sharing of information to GAMUT users based on their permission settings. The Calendar tab allows for posting of important dates including meetings, board activities or other events. Calendars can be Public or Private and can be linked to meeting agendas in GAMUT Meetings. Resource links may be used to allow direct, easy access to external sites that are frequently referenced or relevant to the Subscriber's organization.

For additional information, please contact Miora "Mia" Allen at mallen@csba.org.

¹ A \$500 site set up fee applies to new GAMUT sites

² The standard quoted rates will be applicable for the next 6 months

**COLLEGE AND CAREER ACCESS PATHWAYS (CCAP)
PARTNERSHIP AGREEMENT
BETWEEN
THE ALLAN HANCOCK JOINT COMMUNITY COLLEGE DISTRICT
AND
CUYAMA JOINT UNIFIED SCHOOL DISTRICT**

This College and Career Access Pathway Partnership Agreement ("CCAP Agreement") is between the Allan Hancock Joint Community College District ("COLLEGE") and Cuyama Joint Unified School District ("SCHOOL DISTRICT"). COLLEGE and SCHOOL DISTRICT will collectively be referred to as "PARTIES" or individually as "PARTY".

RECITALS

WHEREAS, COLLEGE is a community college district whose mission includes providing educational programs and services that are responsive to the needs of the students and communities within the community college services area; and

WHEREAS, SCHOOL DISTRICT is a public school district located within the regional service area of the COLLEGE unless otherwise specified and agreed to as stated in AB 288, Sec. 2, Education Code section 76004, subdivision (e); and

WHEREAS, a high school ("HIGH SCHOOL") "includes a community school, continuation high school, juvenile court school, or adult education program offering courses for high school diplomas or high school equivalency certificates" as stated in Education Code section 76004, subdivision (a)(2); and

WHEREAS, the PARTIES desire to enter into this CCAP Agreement for the purpose of offering or expanding dual enrollment opportunities, consistent with the provisions of the Education Code, for high school students "who may not already be college bound or who are underrepresented in higher education with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, and helping high school pupils achieve college and career readiness," (Ed. Code, § 76004, subdivision (a)); and

WHEREAS, instruction will comply with the student selection standards, curriculum guidelines, recommendations and procedures promulgated by applicable law, the California Community College Chancellor's Office and the COLLEGE; and

WHEREAS, the PARTIES desire to enter this CCAP, which sets forth their mutual rights and responsibilities and governs their relationship; and

WHEREAS, the PARTIES intend for COLLEGE to report full-time equivalent students ("FTES") and obtain state apportionment for the subject courses given through this CCAP Agreement in

accordance with California Education Code, section 76004 and the appropriate portions of Title 5 of the California Code of Regulations; and

WHEREAS, participation in the CCAP Agreement is consistent with the core mission of California Community Colleges pursuant to Education Code section 66010.4, and that pupils participating in a CCAP partnership will not lead to enrollment displacement of otherwise eligible adults in the community college (Ed. Code, § 76004, subdivision (k)(2));

NOW, THEREFORE, PARTIES mutually agree as follows:

1. TERM OF AGREEMENT

1.1. Effective Date and Duration. The term of this CCAP Agreement shall be effective on **July 1, 2025**, and continue in effect until **June 30, 2026**, or until duly modified or terminated by the PARTIES in accordance with Section 1.2 of this CCAP Agreement.

1.2. Early Termination.

- a. This agreement may be terminated by either PARTY without cause or for any reason upon giving at least sixty (60) days prior written notice to the other PARTY. Any students currently enrolled in COLLEGE courses under this CCAP Agreement shall be allowed to complete those courses prior to the termination of this CCAP Agreement.
- b. This CCAP Agreement may be terminated by either PARTY with cause if another PARTY fails to comply with the insurance or indemnification requirements or otherwise commits a material breach. Termination will be effective no sooner than 15 calendar days after a written demand to cure is provided and the PARTY fails to cure. This remedy is in addition to any other remedy which may be provided for by law.

1.3. The CCAP Agreement Appendix. This CCAP Agreement outlines the terms of the Agreement.

- a. The CCAP Agreement Appendix shall specify CCAP Agreement Courses as well as additional details regarding, but not be limited to, the total number of high school students to be served and the total number of full-time equivalent students ("FTES") projected to be claimed by the community college district for those students; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses:

Appendix A: Agreement with Instructor.

Appendix B: Identification of CCAP Pathways for Course-Specific College and Career Pathway Opportunities.

Appendix C: CCAP Agreement Courses Approved for 2025-2026.

Appendix D: Registration Timeline 2025-2026.

- b. The CCAP Agreement Appendix C shall be reviewed and approved annually by both PARTIES by a duly adopted written amendment to this Agreement.

1.4. **Points of contact and Educational Administrators** are as follows:

COLLEGE: Thomas Lamica, dean, academic affairs

SCHOOL DISTRICT:

HIGH SCHOOL SITE:

(Ed. Code, § 76004, subdivision (c)(2))

1.5. A copy of the COLLEGE and SCHOOL DISTRICT CCAP Agreement shall be filed with the office of the Chancellor of the California Community Colleges and with the California Department of Education before the start of the CCAP partnership. (Ed. Code, § 76004, subdivision (c)(3).)

1.6. COLLEGE and SCHOOL DISTRICT shall present this CCAP agreement at an open public meeting of their respective governing boards, allowing for public comments prior to consideration for approval or disapproval of this CCAP agreement. (Ed. Code, § 76004, subdivision (b)(2).)

2. DEFINITIONS

2.1. **CCAP Agreement Courses.** CCAP Agreement Courses offered as part of this CCAP Agreement shall be community college courses acceptable towards a career technical education credential or certificate, preparation for transfer, or appropriate to improve high school graduation rates or help high school pupils achieve college and career readiness. (Ed. Code § 76004, subdivision (a).) All community college courses offered at the SCHOOL DISTRICT have been approved in accordance with the policies and guidelines of COLLEGE and applicable law. Courses offered at the COLLEGE that are open to the public for enrollment fall outside of this CCAP agreement and are subject to all conditions and rules of the COLLEGE.

2.2. **Pupil or Student Fees.** Pupil or Student is defined as a resident or nonresident student attending HIGH SCHOOL in California. SCHOOL DISTRICT pupils enrolled in a course offered through this CCAP Agreement shall not be assessed any fee that is prohibited by Education Code section 49011 (Ed. Code § 76004, subdivision (f)), including a fee charged to a student or a student's parent or guardian as a condition for course registration or for textbooks, supplies, materials and equipment needed to participate in the course. Students who are enrolled in a combination of CCAP and regular credit college courses will be subject to all fees assessed for the regular credit college enrollment for the regular credit college courses.

3. STUDENT ELIGIBILITY, SELECTION AND ENROLLMENT, ADMISSION, REGISTRATION, MINIMUM SCHOOL DAY

3.1. **Student Eligibility.** Students who "may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from

high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils to achieve college and career readiness" and "underachieving students, those from groups underrepresented in postsecondary education, those who are seeking advanced studies while in high school, and those seeking a career technical education credential or certificate" are eligible to participate in CCAP courses hosted at a SCHOOL DISTRICT site. (Education Code § 76004, subdivision (a); Assembly Bill 288 (2015) Section I, subdivision (d))

- 3.2. **Student Selection and Enrollment.** Enrollment shall be open to all eligible students as part of the CCAP Agreement who have been admitted to the COLLEGE and who meet all applicable prerequisites. Student selection criteria will be further specified in the CCAP Agreement Appendix C. Applicable prerequisite courses, training, or experience and standards required as preparation for courses offered through the CCAP Agreement will be determined by COLLEGE and shall be in compliance with applicable law and COLLEGE standards and policies.
- 3.3. **College Admission and Registration.** Procedures for students participating in the CCAP Agreement shall be governed by the COLLEGE and shall be in compliance with the admissions and registration guidelines outlined in applicable law and COLLEGE policy.
- 3.4. **Records of Student Attendance.** All records of student attendance and achievement shall be submitted to COLLEGE periodically using the COLLEGE student information system or upon demand and shall be maintained by COLLEGE.
- 3.5. **Priority Enrollment.** Students enrolling in a CCAP course will have priority enrollment by virtue of their status. High school students enrolling in non-CCAP college courses will not be eligible for priority registration.
- 3.6. **Physical Education Courses.** As part of a CCAP Agreement, a participating community college district shall not provide physical education course opportunities to high school students or any other course opportunities that do not assist in the attainment of the goals associated with career technical education or preparation for transfer, improving high school graduation rates, or helping high school students achieve career and college readiness. (Ed. Code § 76004, subdivision (d)).
- 3.7. **Maximum Units.** Students participating under a CCAP Agreement may enroll in up to a maximum of 15 units per term, without exception, if all the following conditions specified in Assembly Bill 288, Sec. 2 (p)(1)(2)(3) are satisfied:
 - a. The units constitute no more than four community college courses per term.
 - b. The units are part of an academic program that is part of a CCAP partnership agreement established pursuant to this article.
 - c. The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.
- 3.8. **Minimum School Day.** The SCHOOL DISTRICT shall certify that it shall teach SCHOOL DISTRICT students participating as part of a CCAP Agreement no less than the number of instructional minutes required to complete a minimum school day pursuant to Education Code sections 46141 and 46142.
- 3.9. **Enrollment Restriction.** COLLEGE reserves the right to block students from enrolling in any courses for students who incur an unpaid debt for a non-CCAP class at the college. COLLEGE agrees to remove the enrollment block when debt is paid in full.

4. COLLEGE APPLICATION PROCEDURE

- 4.1. The COLLEGE will be responsible for processing student applications.
- 4.2. The COLLEGE will provide the necessary admission and registration forms and procedures, and both COLLEGE and SCHOOL DISTRICT will jointly ensure that each applicant accepted has met all the enrollment requirements.
- 4.3. The SCHOOL DISTRICT agrees to assist COLLEGE in the admission and registration of SCHOOL DISTRICT students as may be necessary and requested by COLLEGE.

5. PARTICIPATING STUDENTS

- 5.1. The total cost of books and instructional materials for SCHOOL DISTRICT students who enroll in a COLLEGE course offered as part of this CCAP Agreement will be borne by SCHOOL DISTRICT.
- 5.2. Both COLLEGE and SCHOOL DISTRICT will ensure that ancillary and support services are accessible to students (e.g., Tutoring.)
- 5.3. A student taking courses under this CCAP Agreement with an Individual Education Plan or 504 Plan with the SCHOOL DISTRICT may request accommodation for his or her disability to participate in the educational programs and activities required by the COURSE and COLLEGE. Accommodation required by state law or SCHOOL DISTRICT policy will be provided through SCHOOL DISTRICT in consultation with the COLLEGE Learning Assistance Program (LAP) Office. Students requesting services by the LAP office will need to follow the standard process for requesting accommodations.

6. CCAP AGREEMENT COURSES

- 6.1. The COLLEGE may limit enrollment in a community college course solely to eligible high school students if the course is offered at a high school campus during the regular school day and the community college course is offered pursuant to this CCAP Agreement.
- 6.2. The COLLEGE is responsible for all courses and educational programs offered as part of CCAP Agreement .
- 6.3. The scope, nature, time, location, and listing of courses offered by a COLLEGE shall be determined by COLLEGE in consultation with the SCHOOL DISTRICT and with the approval of the COLLEGE and will be recorded in the Appendix C to this CCAP Agreement.
- 6.4. Courses offered as part of a CCAP Agreement shall be jointly selected and approved by COLLEGE and SCHOOL DISTRICT.
- 6.5. Courses offered as part of this CCAP Agreement shall have a minimum enrollment of fifteen (15) students.
- 6.6. The SCHOOL DISTRICT confirms that each approved CCAP course is held for no less than 50 minutes each class day in full compliance with the course outcomes determined by the COLLEGE.
- 6.7. Degree and certificate programs that are included in the CCAP agreement must have been approved by the California Community College Chancellor's Office and courses offered at the SCHOOL DISTRICT shall adhere to the official course outline of record and the student

learning outcomes established by the associated academic department within the COLLEGE, approved by the COLLEGE Academic Policy & Planning (AP&P) Committee and submitted to the Chancellor's Office. Course outlines will be provided to the SCHOOL DISTRICT.

- 6.8. Courses must meet the number of hours sufficient to meet the stated performance objectives as outlined in the course outlines provided to the SCHOOL DISTRICT on a semester basis.
- 6.9. Courses offered at the SCHOOL DISTRICT as part of this CCAP Agreement shall be of the same quality and rigor as those offered on the COLLEGE campus and shall be in compliance with COLLEGE academic standards.
- 6.10. Courses offered as part of this CCAP Agreement will comply with all applicable regulations, policies, procedures, prerequisites, and standards applicable to the COLLEGE as well as any corresponding policies, practices, and requirements of the SCHOOL DISTRICT. In the event of a conflict between the COLLEGE course related regulations, policies, procedures, prerequisites and standards and SCHOOL DISTRICT policies, practices and requirements, the COLLEGE regulations, policies, procedures, prerequisites, and standards, shall prevail.
- 6.11. A student's withdrawal prior to completion of a course offered as part of this CCAP Agreement shall be in accordance with COLLEGE guidelines, policies, pertinent statutes and regulations.
- 6.12. Supervision and evaluation of students enrolled in courses offered as part of this CCAP Agreement shall be in accordance with COLLEGE guidelines, policies, pertinent statutes and regulations.
- 6.13. COLLEGE has the sole right to control and direct the instructional activities for all CCAP Agreement courses and all instructors, including those who are SCHOOL DISTRICT employees.
- 6.14. This CCAP Agreement certifies that any remedial course taught by community college faculty at a partnering high school campus shall be offered only to high school students who do not meet their grade level standard in math, English, or both on an interim assessment in grade 10 or 11, as determined by the partnering SCHOOL DISTRICT, and shall involve collaborative effort between the SCHOOL DISTRICT and the COLLEGE faculty to deliver an innovative remediation course as an intervention in the student's junior or senior year to ensure the student is prepared for college-level work upon graduation.
- 6.15. CCAP Agreement Courses outlined in Appendix C shall be updated annually and approved before the start of each academic year.

7. INSTRUCTORS

- 7.1. All instructors teaching COLLEGE courses offered as part of this CCAP Agreement must meet the minimum qualifications for instruction in a California community college as set forth in Title 5 California Code of Regulations, Sections 53410 and 58060 or as amended.
- 7.2. The CCAP Agreement Appendix C shall specify which participating SCHOOL DISTRICT or COLLEGE will be the employer of record for purposes of assignment monitoring and reporting to the county office of education.
- 7.3. This CCAP Agreement specifies that the SCHOOL DISTRICT will assume reporting

responsibilities pursuant to applicable federal teacher quality mandates.

- 7.4. Instructors who teach COLLEGE courses offered as part of this CCAP Agreement must provide the supervision and control reasonably necessary for the protection of the health and safety of students and may not have any other assigned duty during the instructional activity.
- 7.5. Instructors who teach COLLEGE courses shall comply with the fingerprinting requirements set forth in Education Code section 45125 or as amended and the tuberculosis testing and risk assessment requirements of California Health and Safety Code section 121525 or as amended. In addition to any other prohibition or provision, no person who has been convicted of a violent or serious felony shall be eligible to teach any courses offered as part of this CCAP Agreement or otherwise provide services on a SCHOOL DISTRICT site. SCHOOL DISTRICT shall immediately notify COLLEGE if an instructor is charged with an offense prohibited by Education Code sections 44010 or 44011.
- 7.6. Prior to teaching, faculty provided by the SCHOOL DISTRICT shall participate in required discipline-specific training and orientation from COLLEGE regarding, but not limited to, course curriculum, assessment criteria, pedagogy, course philosophy, testing and grading procedures record keeping, and other instructional responsibilities. Such training shall be approved and provided by the COLLEGE.
- 7.7. Prior to teaching, instructors provided by the COLLEGE may receive training and orientation from SCHOOL DISTRICT regarding, but not limited to, SCHOOL DISTRICT policies, practices, and requirements. Such training may be approved and provided by the SCHOOL DISTRICT.
- 7.8. Faculty provided by the SCHOOL DISTRICT are eligible to participate in professional development activities sponsored by the COLLEGE as required by the terms and condition of the contract and shall be encouraged to participate in ongoing collegial interaction to include, but not limited to, addressing course content, course delivery, assessment, evaluation, and/or research and development in the field.
- 7.9. The COLLEGE shall evaluate faculty performance for the college courses using the adopted evaluation of process and standards for faculty of the COLLEGE, subject to the approval of COLLEGE.
- 7.10. The COLLEGE and SCHOOL DISTRICT will work collaboratively to identify instructors from SCHOOL DISTRICT who may meet minimum qualification requirements or local equivalency standards to teach a COLLEGE course and encourage them to apply for consideration. Instructors will be required to go through the COLLEGE screening process for possible selection and assignment to the course.
- 7.11. The SCHOOL DISTRICT teachers approved to teach COLLEGE courses remain employees of the SCHOOL DISTRICT, subject to the authority of the SCHOOL DISTRICT, but will also be subject to the authority of COLLEGE specifically with regard to their duties as COLLEGE instructors, pursuant to the terms of Appendix A.
- 7.12. The COLLEGE shall determine the number of instructors, the ratio of instructors to students, and the subject areas of instruction.
- 7.13. Faculty provided by the SCHOOL DISTRICT who do not comply with the policies, regulations, standards, and expectations of the COLLEGE shall be ineligible to teach college courses under this CCAP Agreement.
- 7.14. SCHOOL DISTRICT teachers approved to teach CCAP Courses under this CCAP

Agreement must submit grades to both the COLLEGE and SCHOOL DISTRICT using the COLLEGE student information system by the established timeline (Appendix D).

- 7.15. SCHOOL DISTRICT teachers approved by the COLLEGE shall sign an Agreement with the Instructor (Appendix A) prior to the start of each academic year.
- 7.16. SCHOOL DISTRICT teachers approved by the COLLEGE shall provide support to high school students taking COLLEGE courses under CCAP agreement with COLLEGE admission and registration procedures.

8. ASSESSMENT OF LEARNING AND CONDUCT

- 8.1. Students enrolled in COLLEGE courses offered as part of this CCAP Agreement at the SCHOOL DISTRICT shall be held to the same standards of achievement as students in courses taught on the COLLEGE campus.
- 8.2. Students enrolled in COLLEGE courses offered as part of this CCAP Agreement at the SCHOOL DISTRICT shall be held to the same grading standards as those expected of students in courses taught on the COLLEGE campus.
- 8.3. Students enrolled in COLLEGE courses offered as part of this CCAP Agreement at the SCHOOL DISTRICT shall be assessed using the same methods (e.g., papers, portfolios, quizzes, labs, etc.) as students in courses taught on the COLLEGE campus.
- 8.4. Students enrolled in COLLEGE courses offered as part of this CCAP Agreement at the SCHOOL DISTRICT shall be held to the same behavioral standards as those expected of students in courses taught on the COLLEGE campus.

9. LIAISON AND COORDINATION OF RESPONSIBILITIES

- 9.1. The COLLEGE shall appoint an educational administrator who will serve as point of contact to facilitate coordination and cooperation between COLLEGE, SCHOOL DISTRICT, and HIGH SCHOOL in conformity with COLLEGE policies and standards. (Ed. Code, § 76004, subd. (c)(2).) Among other things, the COMMUNITY COLLEGE DISTRICT Educational Administrator and the SCHOOL DISTRICT Educational Administrator described in Section 9.2, shall collaborate to determine the process for timely receiving, investigating, and remediating complaints of sexual misconduct or other conduct covered by Title IX of the Education Amendments of 1972 alleged to have occurred in or related to the CCAP program.
- 9.2. The SCHOOL DISTRICT shall appoint an educational administrator who will serve as point of contact to facilitate coordination and cooperation between SCHOOL DISTRICT, COLLEGE, HIGH SCHOOL in conformity with SCHOOL DISTRICT policies and standards.
- 9.3. This CCAP Agreement requires an annual report to the office of the Chancellor of the California Community Colleges by COLLEGE and SCHOOL DISTRICT. COLLEGE shall complete and file the Apportionment Attendance Report (CCFS-320); SCHOOL DISTRICT agrees to provide the following information, when requested by COLLEGE, in accordance with AB 288 Section 2, Education Code Section 76004:
 - a. The total number of high school students by school site enrolled in each partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.

- b. The total number of community college courses by course category and type and by school site enrolled in by CCAP partnership participants.
- c. The total number and percentage of successful course completions, by course category and type and by school site, of CCAP partnership participants.
- d. The total number of full-time equivalent students generated by CCAP partnership community college district participants.

10. DISPUTES

- 10.1. COLLEGE and SCHOOL DISTRICT recognize that, from time to time, disputes may arise between COLLEGE employees or students and SCHOOL DISTRICT employees or students. When such disputes arise, COLLEGE and SCHOOL DISTRICT shall collaborate and use their best efforts to resolve them informally. Where informal resolution is not successful or the PARTIES must address a formal inter-agency complaint, the following process will be utilized to resolve the matter.
- a. The PARTY receiving the complaint will timely notify the other, and promptly provide the other PARTY with any written complaint received.
 - b. The Educational Administrators will review the complaint to determine, based on the nature of the complaint, whether any statutory or regulatory timelines or other procedural requirements apply, including but not limited to:
 - 10.1.b.1. Whether COLLEGE is required to investigate the complaint to the State Chancellor pursuant to Title 5 of the California Code of Regulations.
 - 10.1.b.2. Whether, based on the nature of the complaint, the complainant is entitled to any rights or protections with regard to how the complaint is handled, pursuant to Title 5 or applicable state or federal laws, including but not limited to Title IX of the Education Amendments of 1972.
 - 10.1.b.3. If either Educational Administrator finds such rights to exist, he or she shall notify the other Educational Administrator, and COLLEGE and SCHOOL DISTRICT shall cooperate as needed in carrying out these requirements. It is understood that such requirements may include but are not limited to conducting a formal investigation within regulatory timelines or the implementation of interim safety measures for the complainant.
 - c. Within a reasonable time, either PARTY receiving the complaint, the PARTIES will discuss the nature and severity of the allegations and come to a mutual agreement regarding the need for and scope of any investigation required. If it is agreed that a formal investigation is required, the PARTIES will mutually agree upon an investigator, who may be an outside investigator, or qualified employee of COLLEGE or SCHOOL DISTRICT. If the PARTIES agree to have the matter investigated internally by either a COLLEGE or SCHOOL DISTRICT employee, the other PARTY may designate an employee to attend all witness interviews. Where it is determined that an outside investigator will be used, the cost will be divided between the PARTIES.
 - d. If, despite the good faith effort of the PARTIES, they are unable to agree on a process for investigating the complaint, the PARTY whose employee/student is the subject of the complaint will determine the process.

- e. The COLLEGE and SCHOOL DISTRICT will cooperate in any investigation initiated and make its employees available to the investigator.
- f. Interviews of COLLEGE and SCHOOL DISTRICT employees shall comply with any rights and protections afforded to them under an applicable collective bargaining agreement or state or federal law, including but not limited to the right to have a representative present during an interview that could lead to discipline.
- g. The investigator will prepare a report that will be provided to both PARTIES setting forth findings as to the allegations and the basis for the findings.
- h. The COLLEGE and SCHOOL DISTRICT shall share any and all materials from the investigation, unless sharing would cause a PARTY to violate confidentiality or privacy laws.
- i. The COLLEGE and SCHOOL DISTRICT have sole discretion in determining any disciplinary measures to be imposed against their respective employees or students.
- j. Regardless of any disciplinary measures taken by the COLLEGE or SCHOOL DISTRICT against its respective employees or students, the other PARTY retains the right to have the subject of a sustained complaint removed from participating in or providing services for the program that is the subject of this CCAP Agreement.

11. APPORTIONMENT

- 11.1. COLLEGE shall include the students enrolled in a CCAP Agreement course in its report of full-time equivalent students (FTES) for purposes of receiving state apportionments when the course(s) complies with current requirements for dual enrollment under applicable California law.
- 11.2. For purposes of allowances and apportionments from Section B of the State School Fund, a community college district conducting a closed course on a high school campus shall be credited with those units of full-time equivalent students attributable to the attendance of eligible high school pupils.
- 11.3. The COLLEGE shall not receive a state allowance or apportionment for an instructional activity for which the SCHOOL DISTRICT has been, or shall be, paid an allowance or apportionment. (Ed. Code § 76004, subdivision (o)(2)).
- 11.4. The attendance of a SCHOOL DISTRICT pupil at the COLLEGE as a special part-time or full-time student pursuant to this section is authorized attendance for which the COLLEGE shall be credited or reimbursed pursuant to Section 48802 or 76002, provided that no school district has received reimbursement for the same instructional activity.

12. CERTIFICATIONS

- 12.1. The SCHOOL DISTRICT certifies that:
 - a. The direct education costs of the courses offered as part of this CCAP Agreement are not fully funded through other sources.
 - b. It agrees and acknowledges that the COLLEGE will claim apportionment for the SCHOOL DISTRICT students enrolled in community college course(s) under this CCAP Agreement.

- c. Any COLLEGE instructor teaching a course at the SCHOOL DISTRICT has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus.

12.2. The COLLEGE certifies that:

- a. A community college course offered for college credit at the participating SCHOOL DISTRICT does not reduce access to the same course offered at the partnering COLLEGE.
- b. The COLLEGE has not received full compensation for the direct education costs for the conduct of the courses offered as part of this CCAP Agreement from other sources.
- c. The Agreement is consistent with the core mission of the COLLEGE pursuant to Section 66010.4 and students participating in this CCAP Agreement will not lead to displacement of otherwise eligible adults at the COLLEGE.
- d. A qualified SCHOOL DISTRICT instructor teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing COLLEGE faculty member teaching the same course at the partnering community college campus.

12.3. The PARTIES certify that:

- a. Any COLLEGE instructor teaching a course on a SCHOOL DISTRICT campus has not been convicted of any sex offense as defined in Education Code section 44010 or as amended, or any controlled substance offense as defined in Education Code section 44011 or as amended.
- b. The SCHOOL DISTRICT and COLLEGE comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher or faculty member teaching a CCAP Agreement course offered for high school credit. (AB288 Sec. 2 (I).)

13. PROGRAM IMPROVEMENT

- 13.1. The COLLEGE and the SCHOOL DISTRICT may annually conduct surveys of participating SCHOOL DISTRICT pupils, instructors, principals, and school counselors for the purpose of informing practice, adjusting, and improving the quality of courses offered as part of this CCAP Agreement.

14. RECORDS

- 14.1. Permanent records of student attendance, grades and achievement will be maintained by both the SCHOOL DISTRICT and COLLEGE for SCHOOL DISTRICT students who enroll in course(s) offered as part of this CCAP Agreement. Permanent records of student enrollment, grades, and achievement for COLLEGE students shall be maintained by COLLEGE.
- 14.2. Each PARTY shall maintain records pertaining to this CCAP Agreement as may be required by federal and state law. Each PARTY may review and obtain a copy of the other

PARTY'S pertinent records subject to federal and state privacy statutes.

14.3. SCHOOL DISTRICT instructors will submit grades to the COLLEGE when due according to the COLLEGE schedule per section 7.14. The SCHOOL DISTRICT will include all criteria identified by the COLLEGE for grading purposes.

14.4. COLLEGE may provide the SCHOOL DISTRICT with a report on participating students' final grades after each term.

15. CCAP AGREEMENT DATA MATCH AND REPORTING

15.1. COLLEGE and SCHOOL DISTRICT shall ensure operational protocols consistent with the collection of participating student data and the timely submission of the data.

15.2. COLLEGE shall report all program and participating student data to the office of the Chancellor of the California Community Colleges.

16. DATA SHARING

16.1. COLLEGE and SCHOOL DISTRICT may share confidential student data for the purposes of evaluating the educational services provided under this CCAP agreement and for evaluating student performance pursuant to participating in CCAP courses. Any data shared will be for research and analytical purposes aimed at understanding student performance and improving applicable federal and state laws concerning access to and confidentiality of student record information as described in Section 17 of this agreement.

17. PRIVACY OF STUDENT RECORDS

17.1. COLLEGE and SCHOOL DISTRICT understand and agree that education records of students enrolled in a CCAP course and personally identifiable information contained in those educational records are subject to the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 C.F.R. Part 99, including the disclosure provisions of § 99.30 and state law as outlined in Education Code section 49064 and section 49076). COLLEGE and SCHOOL DISTRICT agree to hold all student education records generated pursuant to this CCAP Agreement in strict confidence and further agree not to disclose such records except as authorized by applicable law or regulation for COLLEGE records or by the parent or guardian's prior written consent for HIGH SCHOOL records. (34 C.F.R. § 99.33 (a), (b); 34 C.F.R. § 99.34(b) and Education Code §§ 49064 and 49076.)

17.2. **Limitation on Use.** COLLEGE and SCHOOL DISTRICT shall use each student education record that they may receive pursuant to this CCAP Agreement solely for purposes consistent with their authority to access that information pursuant to Federal and State law, as may be as applicable. (34 C.F.R. § 99.31, 34 C.F.R. § 99.34, and Education Code § 49076.)

17.3. **Recordkeeping Requirements.** COLLEGE and SCHOOL DISTRICT shall comply with the requirements governing maintenance of records of each request for access to and each disclosure of student education records set forth under Title 34, Code of Federal Regulations § 99.32 and under Education Code § 49064 as applicable.

17.4. **Acknowledgement of Receipt of Notice of FERPA Regulations.** By signature of its authorized representative or agent on this Agreement, COLLEGE and SCHOOL DISTRICT hereby acknowledges that it has been provided with the notice required under

34 C.F.R. § 99.33(d) that it is strictly prohibited from re-disclosing student education records to any other person or entity except as authorized by applicable law or regulation. Parent or guardian requests for information will need to be addressed directly by the HIGH SCHOOL or SCHOOL DISTRICT personnel.

18. REIMBURSEMENT

18.1. The SCHOOL DISTRICT shall invoice the COLLEGE no later than 30 (thirty) days after the start of each term for the instructional services provided through this CCAP agreement as follows:

- a. For courses taught by COLLEGE-approved SCHOOL DISTRICT teachers and COLLEGE instructors on HIGH SCHOOL campuses during regular high school hours rendered at the rate of \$1,000.00 per course unit delivered to CCAP students.

Example: 3 CCAP courses @ 3 units each = 9 units x \$1,000.00 = \$9,000.00

18.2. The COLLEGE shall make payment to the SCHOOL DISTRICT within 30 days of receiving the invoice for instructional services rendered.

18.3. The COLLEGE is required to report to the state the percentage of funds paid to an agency to the SCHOOL DISTRICT that will provide direct instruction on behalf of the college as part of the CCAP partnership agreement. The SCHOOL DISTRICT will use 100% of all funds received from Allan Hancock College in fulfillment of this agreement to pay for direct instructional costs. (Ed. Code § 84632).

19. FACILITIES

19.1. The SCHOOL DISTRICT will provide adequate classroom space at its facilities or other mutually agreed upon locations to conduct the instruction and do so without charge to COLLEGE or students. SCHOOL DISTRICT agrees to clean, maintain, and safeguard SCHOOL DISTRICT's premises. SCHOOL DISTRICT warrants that its facilities are safe and compliant with all applicable buildings, fire, and safety codes.

19.2. The SCHOOL DISTRICT will furnish, at its own expense, all course materials, specialized equipment, books and other necessary equipment for all SCHOOL DISTRICT students. The parties understand that such equipment and materials are the SCHOOL DISTRICT's sole property.

19.3. The SCHOOL DISTRICT facilities may be used by COLLEGE for COLLEGE course offerings before or after regular high school schedule at no additional cost. Prior approval by the SCHOOL DISTRICT is required. COLLEGE courses offered before or after the regular high school schedule will be open to the public.

20. INDEMNIFICATION

20.1. The SCHOOL DISTRICT agrees to and shall indemnify, save and hold harmless the COLLEGE, and its governing board, officers, employees, administrators, independent

contractors, subcontractors, agents and other representatives from any and all claims, demands, liabilities, costs, expenses, damages, causes of action, losses, and judgments, arising out of SCHOOL DISTRICT's performance of this CCAP Agreement. The obligation to indemnify shall extend to all claims and losses that arise out of SCHOOL DISTRICT's or its trustees', officers', agents', or employees' negligence, wrongful acts or omissions, or willful misconduct related to this CCAP Agreement or performance of this CCAP Agreement. The provisions of this section shall survive the termination or expiration of this CCAP Agreement.

20.2. The COLLEGE agrees to and shall indemnify, save and hold harmless the SCHOOL DISTRICT and its governing board, officers, employees, administrators, independent contractors, subcontractors, agents and other representatives from any and all claims, demands, liabilities, costs, expenses, damages, causes of action, losses, and judgments, arising out of COLLEGE'S performance of this CCAP Agreement. The obligation to indemnify shall extend to all claims and losses that arise out of COLLEGE'S or its trustees', officers', agents', or employees' negligence, wrongful acts or omissions, or willful misconduct related to this CCAP Agreement or performance of this CCAP Agreement. The provisions of this section shall survive the termination or expiration of this CCAP Agreement.

21. INSURANCE

21.1. The SCHOOL DISTRICT, in order to protect the COLLEGE, its agents, employees and officers against claims and liability for death, injury, loss and damage arising out of or in any manner connected with the performance and operation of the terms of this CCAP Agreement, shall secure and maintain in force during the entire term of this CCAP Agreement, insurance coverage or an approved program of self-insurance in the amount of not less than ONE MILLION DOLLARS (\$1,000,000) per incident and TWO MILLION DOLLARS (\$2,000,000) general aggregate for personal injury, bodily injury, death, and property and other damage, with an admitted California insurer duly licensed to engage in the business of insurance in the State of California, or public entity risk management Joint Powers Authority, authorized to provide public liability and property damage insurance in the state of California. Said policy of insurance, insurance coverage through a public entity risk management JPA, or program of self-insurance shall expressly name the COLLEGE, its agents, employees and officers as an additional insured for the purposes of this CCAP Agreement. A certificate of insurance including such endorsement shall be furnished to the COLLEGE.

21.2. The COLLEGE, in order to protect the SCHOOL DISTRICT, its agents, employees and officers against claims and liability for death, injury, loss and damage arising out of or in any manner connected with the performance and operation of the terms of this CCAP Agreement, shall secure and maintain in force during the entire term of this CCAP Agreement, insurance coverage or an approved program of self-insurance in the amount of not less than ONE MILLION DOLLARS (\$1,000,000) per incident and TWO MILLION DOLLARS (\$2,000,000) general aggregate for personal injury, bodily injury, death, and property and other damage, with an admitted California insurer duly licensed to engage in the business of insurance in the State of California, or public entity risk management Joint Powers Authority, authorized to provide public liability and property damage insurance in the State

of California. Said policy of insurance, insurance coverage through a public entity risk management JPA or program of self-insurance shall expressly name the SCHOOL DISTRICT, its agents, employees and officers as an additional insured for the purposes of this CCAP Agreement. A certificate of insurance including such endorsement shall be furnished to the SCHOOL DISTRICT.

- 21.3. For the purpose of Workers' Compensation, SCHOOL DISTRICT shall be the "primary employer" for all its employees who perform services as instructors and support staff. SCHOOL DISTRICT shall be solely responsible for processing, investigating, defending, and paying all workers' compensation claims by their respective SCHOOL DISTRICT employees made in connection with performing services and receiving instruction under this CCAP Agreement. SCHOOL DISTRICT agrees to hold harmless, indemnify, and defend COLLEGE, its directors, officers, agents, and employees from any liability resulting from its failure to process, investigate, defend, or pay any workers' compensation claims by SCHOOL DISTRICT employees connected with providing services under this CCAP Agreement.

22. NON-DISCRIMINATION

- 22.1. Neither the SCHOOL DISTRICT nor the COLLEGE shall discriminate on the basis of race or ethnicity, gender, nationality, physical or mental disability, sexual orientation, religion, or any other protected class under California State or federal law.

23. NOTICES

- 23.1. Any and all notices required to be given hereunder shall be deemed given when personally delivered or deposited in the U.S. Mail, postage to be prepaid, to the following addresses:

Allan Hancock College Joint Community College District
800 S. College Drive
Santa Maria, CA 93460
Attn: Dennis Curran

Cuyama Joint Unified School District
2300 Highway 166, New Cuyama, CA 93254
Attn:

24. MODIFICATION AND AMENDMENT

- 24.1. Appendix A through D to this CCAP Agreement is incorporated by this reference into this CCAP Agreement.
- 24.2. This CCAP Agreement and Appendix A through D to this CCAP Agreement set forth the entire agreement between the PARTIES relating to the subject matter of this CCAP Agreement. This CCAP Agreement and Appendix A through D to this CCAP Agreement supersede any prior agreements, promises, negotiations, or representations, express or implied, oral or written, not included in this CCAP Agreement and Appendix A through D

to this CCAP Agreement.

- 24.3. This Agreement may be amended only with the mutual consent of the Parties. All amendments must be in writing and must be approved by the Parties' respective governing Boards.

25. GOVERNING LAWS

- 25.1. This CCAP Agreement will be governed by and construed in accordance with California law, and the venue of any action or proceeding in connection with this CCAP Agreement shall be Santa Barbara County, California.

26. COMMUNITY COLLEGE DISTRICT BOUNDARIES

- 26.1. For locations outside the geographical boundaries of Allan Hancock College Joint Community College District, the COLLEGE will comply with the requirements of Title 5 of the California Code of Regulations, Sections 55300 et seq. or as amended, concerning approval by adjoining high school or community college districts and use of non-district facilities.

27. SEVERABILITY

- 27.1. This CCAP Agreement shall be considered severable, such that if any provision or part of the CCAP Agreement is ever held invalid under any law or ruling, that provision or part of the CCAP Agreement shall remain in force and effect to the extent allowed by law, and all other provisions or parts shall remain in full force and effect.

28. COUNTERPARTS

- 28.1. This CCAP Agreement may be executed by the PARTIES in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument.

IN WITNESS WHEREOF, the PARTIES hereto have caused this CCAP Agreement to be executed on the dates set forth below, to be effective as of the Effective Date.

ALLAN HANCOCK JOINT COMMUNITY
COLLEGE DISTRICT

By: _____
Associate Superintendent/Vice President of
Finance and Administration

Date: _____

CUYAMA JOINT UNIFIED SCHOOL
DISTRICT

By: _____
Superintendent/Principal

Date: _____

**ALLAN HANCOCK JOINT COMMUNITY
COLLEGE DISTRICT BOARD MEETINGS**

Information Board Meeting Date:

**Public Comment
and Approval Board Meeting Date:**

**CUYAMA JOINT UNIFIED SCHOOL
DISTRICT BOARD MEETINGS**

Information Board Meeting Date:

**Public Comment
and Approval Board Meeting Date:**

APPENDIX A

ALLAN HANCOCK COLLEGE JOINT COMMUNITY COLLEGE DISTRICT

Agreement with INSTRUCTOR

This agreement is made and entered into this ____ [day] of _____ [month] ____ [year] by three parties: The Allan Hancock College Joint Community College District (hereinafter "COLLEGE"), the _____ [high school district] (hereinafter "SCHOOL DISTRICT") and _____ [first name, last name], an employee of the SCHOOL DISTRICT (hereinafter "INSTRUCTOR") who is being assigned to the COLLEGE on a part-time basis pursuant to Title 5, California Code of Regulations, section 58058(b).

WHEREAS, the SCHOOL DISTRICT has the experience, training, equipment and other resources, and staff necessary to provide instruction to COLLEGE students through the CCAP Agreement;

WHEREAS, Title 5, California Code of Regulations, section 58050, subdivision (a) provides authority for claiming apportionment;

NOW, THEREFORE, the three parties to this Agreement hereby agree as follows:

1. The SCHOOL DISTRICT's INSTRUCTOR is an employee of the SCHOOL DISTRICT who shall meet "Minimum Qualifications" for the academic position of COLLEGE's INSTRUCTOR as established by the COLLEGE and as determined by the COLLEGE.
2. The SCHOOL DISTRICT's INSTRUCTOR is professionally and specially trained and competent to provide the supervisory and/or instructional services required by the COLLEGE.
3. The INSTRUCTOR will be an employee of the COLLEGE for purposes of the Attendance Accounting Standards (Ed. Code, § 58050). COLLEGE has the right to; 1) evaluate and terminate INSTRUCTOR; 2) evaluate the quality of instruction to ensure that it meets the needs of students; 3) evaluate the quality and rigor equal to the COLLEGE'S approved course outline of record and the accreditation requirements of COLLEGE. The COLLEGE will not provide INSTRUCTOR evaluation results to the SCHOOL DISTRICT.
4. The SCHOOL DISTRICT's INSTRUCTOR shall at all times comply with the supervisory and/or instructional requirements outlined in Title 5, California Code of Regulations, section 58055, which require direct instruction by the SCHOOL DISTRICT's INSTRUCTOR except in limited circumstances. The SCHOOL DISTRICT's INSTRUCTOR's responsibilities and duties as an employee of the COLLEGE shall include, but are not limited to, the following:
 - 4.1. Ensure that an instructional time of 50 minutes per class each day is expended in full compliance with the course objectives determined by the COLLEGE.
 - 4.2. Ensure the safety and well-being of students.
 - 4.3. Be in sufficient physical proximity and range of communication to provide immediate instructional supervision and control of all students in his/her classes.
 - 4.4. Attend periodic staff meetings with the COLLEGE.
 - 4.5. Regularly check and respond to communication from COLLEGE.
 - 4.6. Priority in class enrollment shall be given to students desiring to take the course for college credit towards a degree or certificate (Ed. Code § 76370). Ensure accurate and current daily student attendance records, accurate calculation of final student grades of

all students enrolled in the course for college credit, and the prompt submission of all data necessary for the calculation of FTES to the DISTRICT within 3 (three) calendar days of course completion (Ed. Code § 84500).

- 4.7. Ensure the effective use of instructional methods, technology, testing and remediation.
 - 4.8. Ensure that he/she does not have any other assigned duties during the instructional activity where multiple skill levels of students are being taught for which attendance is being claimed.
 - 4.9. Be familiar with and comply with all relevant COLLEGE policies, rules and regulations, including but not limited, to those related to student safety, grading, attendance, sexual harassment and discrimination.
 - 4.10. Provide support to SCHOOL DISTRICT students taking COLLEGE courses under CCAP agreement with COLLEGE admission and registration procedures.
5. The SCHOOL DISTRICT shall indemnify and hold harmless the COLLEGE and its authorized agents, officers, and employees against any and all claims and actions arising from the SCHOOL DISTRICT's INSTRUCTOR's or SCHOOL DISTRICT's negligent, reckless or intentional acts, errors or omissions and for any cost or expense incurred by the COLLEGE on account of any claim therefor.
 6. The COLLEGE shall provide no compensation to the SCHOOL DISTRICT's INSTRUCTOR for any services rendered pursuant to this Agreement, but compensation, as well as workers' compensation insurance, shall be the responsibility of the SCHOOL DISTRICT in accordance with its established and standard practices.
 7. This Agreement may be terminated at any time by the COLLEGE within the sole and exclusive discretion of the COLLEGE upon written notice to the SCHOOL DISTRICT and the SCHOOL DISTRICT's INSTRUCTOR. This Agreement may be terminated upon thirty (30) days' prior written notice to COLLEGE by either the SCHOOL DISTRICT or the SCHOOL DISTRICT's INSTRUCTOR within either's sole and exclusive discretion.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year last written below.

INSTRUCTOR

ALLAN HANCOCK COLLEGE JOINT
COMMUNITY COLLEGE DISTRICT

Print

Print

Signature

Signature

APPENDIX B

Identification of CCAP Pathways for Course-Specific College and Career Pathway Opportunities

Pursuant to California Assembly Bill No. 288, the COLLEGE and SCHOOL DISTRICT enter into this partnership agreement to offer College and Career Pathways (CCAP) to high school students to expand dual enrollment opportunities to facilitate college and career readiness, particularly among students who may not already be college-bound or who are underrepresented in higher education.

The goal of the CCAP partnership is to offer seamless pathways from high school to community college to promote: 1) academic preparation for transfer to four-year colleges and universities; 2) completion of career and technical education programs for entry into the workforce; (3) improving high school graduation rates, and (4) helping high school pupils achieve college and career readiness.

The following pathways are included in the CCAP partnership agreement between the COLLEGE and SCHOOL DISTRICT:

Career and Technical Education:

1. This pathway includes COLLEGE courses in a Career and Technical education (“CTE”) pathway at the college level that apply to an Allan Hancock College degree or certificate in the pathway. This includes:
 - a. Naming of HIGH SCHOOL Pathway and Course Location in Sequence (Introductory, Concentrator, Capstone, or Practicum)
 - b. Naming of COLLEGE Pathway – Degree or Certificate
 - c. Identifying Career/Employment Outcomes associated with CTE Pathway
 - d. Identifying the course(s) in the Pathway to be offered under the CCAP Agreement.
2. Examples of CTE Technical Pathways include Automotive, Digital Art and Graphic Design, Culinary, Early Childhood Studies, Welding etc.

College and Career Readiness:

1. This pathway includes COLLEGE courses in career exploration and career development that prepare students in college and career planning. Successful completion of these courses will allow students to matriculate at college level in courses in a CTE pathway or General Education/California State University (“CSU”) Transfer pathway.
2. Course examples include: WEE (Work Experience); PD (Career Planning).

Preparation for Transfer:

1. California General Education Transfer Curriculum (Cal-GETC). This pathway includes COLLEGE courses which have been approved to meet the lower-division general education requirements at any CSU or University of California campus (i.e. Areas 1-6)

Improve High School Graduation Rates:

1. Student participation in college courses improves graduation rates of students who participate compared to peers who do not participate in college-level coursework.

APPENDIX D Registration Timeline 2025 - 2026

2025-2026 Week Ranges	Process	Timeline	Type
Week 1: July 1, 2025 - July 7, 2025			
Week 2: July 8, 2025 - July 14, 2025			
Week 3: July 15, 2025 - July 21, 2025			
Week 4: July 22, 2025 - July 28, 2025			
Week 5: July 29, 2025 - August 4, 2025	Ideal	CRNs available for DualEnroll & we see bulk of forms (Would like Aug 1 deadline for CRNs)	CCAP
Week 6: August 5, 2025 - August 11, 2025	Ideal	(NonCCAP) Late Add Influx, Appeal Delays, Registration Processing Delays	
Week 6: August 5, 2025 - August 11, 2025	Ideal	Firm Deadline for NonCCAP Petitions (Fall 2025)	NonCCAP
Week 6: August 5, 2025 - August 11, 2025	Ideal	(NonCCAP) Bulk of Petitions come in around this time through first day of AHC classes	NonCCAP
Week 7: August 12, 2025 - August 18, 2025		Start of Fall Term for HS Partners (Average)	
Week 8: August 19, 2025 - August 25, 2025		Start of Fall Term for AHC	
Week 8: August 19, 2025 - August 25, 2025	Actual	(NonCCAP) We accepted petitions for up until the start of classes (extended)	NonCCAP
Week 8: August 19, 2025 - August 25, 2025		Winter app opens	
Week 9: August 26, 2025 - September 1, 2025	Actual	Influx of Fall Petitions Timeframe	Both
Week 9: August 26, 2025 - September 1, 2025	Actual	(NonCCAP) Late Add influx, Appeal Delays, Registration Processing Delays	NonCCAP
Week 10: September 2, 2025 - September 8, 2025	Actual	CRNs available in DualEnroll & we see beginning of bulk of forms	CCAP
Week 10: September 2, 2025 - September 8, 2025	Ideal	Spring app opens for CCAP students	CCAP
Week 11: September 9, 2025 - September 15, 2025			
Week 12: September 16, 2025 - September 22, 2025			
Week 14: September 30, 2025 - October 6, 2025	Ideal	CCAP CRNs available (Spring 2026)	CCAP
Week 14: September 30, 2025 - October 6, 2025	Ideal	CCAP Registration Begins (Spring 2026)	CCAP
Week 14: September 30, 2025 - October 6, 2025		Spring app opens	
Week 14: September 30, 2025 - October 6, 2025	Actual	Deadline for NonCCAP Petitions (Fall 2025 Term 2)	NonCCAP
Week 15: October 7, 2025 - October 13, 2025			
Week 16: October 14, 2025 - October 20, 2025	Actual	AHC accepting NonCCAP petitions (Winter/Spring 2026)	NonCCAP
Week 16: October 14, 2025 - October 20, 2025		Class Search opens	
Week 17: October 21, 2025 - October 27, 2025			
Week 18: October 28, 2025 - November 3, 2025	Ideal	Fall processing complete for CCAP	CCAP
Week 19: November 4, 2025 - November 10, 2025	Actual	CRN available for CCAP for spring	CCAP
Week 20: November 11, 2025 - November 17, 2025	Actual	NonCCAP Registration Begins (Winter/Spring 2026)	NonCCAP
Week 20: November 11, 2025 - November 17, 2025	Actual	CCAP Registration Begins (Early Spring 2026)	CCAP
Week 21: November 18, 2025 - November 24, 2025			
Week 22: November 25, 2025 - December 1, 2025			
Week 23: December 2, 2025 - December 8, 2025	Ideal	Influx of CN Spring Petitions Timeframe	NonCCAP

PRING

FALL

APPENDIX D Registration Timeline 2025 - 2026

S	Ideal		Deadline for NonCCAP Petitions (Winter 2026)	
	Ideal	Actual	Bulk of CCAP registrations submitted for Spring	CCAP
Week 23: December 2, 2025 - December 8, 2025				
Week 24: December 9, 2025 - December 15, 2025				
Week 25: December 16, 2025 - December 22, 2024			Processing completed for Fall CCAP	CCAP
Week 25: December 16, 2025 - December 22, 2025			Start of Winter Term for AHC	
Week 26: December 23, 2025 - December 29, 2025				
Week 27: December 30, 2025 - January 5, 2026				
Week 28: January 6, 2026 - January 12, 2026		Actual	Deadline for NonCCAP Petitions (Spring 2026)	Both
Week 29: January 13, 2026 - January 19, 2026		Actual	Start of Spring Term for HS Partners (Average)	Both
Week 29: January 13, 2026 - January 19, 2026		Actual	Influx of CN petitions	Both
Week 30: January 20, 2026 - January 26, 2026		Actual	Start of Spring Term for AHC	
Week 31: January 27, 2026 - February 2, 2026				
Week 32: February 3, 2026 - February 9, 2026		Actual	We see bulk of our CCAP forms being turned in	CCAP
Week 33: February 10, 2026 - February 16, 2026		Actual	We see bulk of our CCAP forms being turned in	CCAP
Week 34: February 17, 2026 - February 23, 2026			CCAP Sections Identify and Created - Alicia to meet with High Schools (summer/fall 2026)	
Week 35: February 24, 2026 - March 2, 2026				
Week 36: March 3, 2026 - March 9, 2026				
Week 37: March 10, 2026 - March 16, 2026				
Week 38: March 17, 2026 - March 23, 2026				
Week 39: March 24, 2026 - March 30, 2026			CCAP Sections CRNs Complete (summer/fall 2026)	
Week 40: March 31, 2026 - April 6, 2026				
Week 41: April 7, 2026 - April 13, 2026			AHC accepting NonCCAP petitions (summer/fall 2026)	
Week 41: April 7, 2026 - April 13, 2026		Actual	Summer/Fall Class Search Opens	
Week 42: April 14, 2026 - April 20, 2026				
Week 42: April 14, 2026 - April 20, 2026			Priority Reg	
Week 43: April 21, 2026 - April 27, 2026		Ideal	Spring processing complete for CCAP	CCAP
Week 44: April 28, 2026 - May 4, 2026				
Week 45: May 5, 2026 - May 11, 2026		Ideal	NonCCAP Registration Begins (Summer/Fall 2026)	
Week 46: May 12, 2026 - May 18, 2026		Actual	Deadline for NonCCAP Petitions (Spring Term 2 2026)	
Week 47: May 19, 2026 - May 25, 2026		Actual	Spring processing complete for CCAP	
Week 48: May 26, 2026 - June 1, 2026				
Week 49: June 2, 2026 - June 8, 2026		Ideal	Influx of Fall Petitions Timeframe	NonCCAP
Week 50: June 9, 2026 - June 15, 2026		Actual	Start of Summer Term for AHC	
Week 51: June 16, 2026 - June 22, 2026				
Week 52: June 23, 2026 - June 29, 2026				

FALL

APPENDIX C

CCAP Agreement Courses Approved for 2025 - 2026

HIGH SCHOOL DISTRICT:

Cuyama Joint Unified School District

HIGH SCHOOL SITE:

Cuyama Valley High School

PROJECTED NUMBER

OF STUDENTS TO BE SERVED: _____

TOTAL PROJECTED FTES: _____

CCAP Pathway	College Degree or Certificate	High School Pathway	CCAP Course Offerings				Number of Sections, High School period(s) & Times		Instructor Name & Employer of Record (AHC or HS)		Projected Number of Students	Projected FTES
			FALL	SPRING			FALL	SPRING	FALL	SPRING		
Career Technical Education	Agricultural Science - AS											
Career Technical Education	Agricultural Science - AS											
Preparation for Transfer												

1. **Required:** Describe the criteria used to assess the ability of pupils to benefit from the course(s) offered:

In consultation with their SCHOOL DISTRICT counselors, students self-select a pathway based on their academic readiness and alignment of course content to students' educational and career goals. SCHOOL DISTRICT and COLLEGE faculty identified CCAP courses using the following criteria:

- a. Alignment with HIGH SCHOOL pathways and COLLEGE programs of study.
- b. Potential for course completion to accelerate students' time to completion of postsecondary degree or certificate.
- c. Potential to earn a Certificate of Training and be eligible to enter the workforce in their selected career technical pathway.

d. Potential to work toward completion of an associate degree or an associate degree for transfer.

2. **MINIMUM QUALIFICATIONS FOR INSTRUCTION:** All instructors teaching CCAP Agreement Courses must meet the minimum qualifications for instruction in a California community college as set forth in Title 5 of the California Code of Regulations, sections 53410 and 58060 or as amended. The minimum qualifications for instruction are:

Course Name & Number	Minimum Qualifications For Instructors
AG 152 AG 154 AG 156	<ul style="list-style-type: none">Any bachelor's degree or higher and two years of professional experienceOR any associate degree and six years of professional experience. The professional experience is required when the application possesses a master's degree. The professional experience required must be directly related to the teaching assignment in <ul style="list-style-type: none">OR a master's degree in agriculture, agricultural science, education with a specialization in agriculture or other agricultural area, including agricultural business, agricultural engineering, agricultural mechanics, agronomy, animal science, enology, environmental (ornamental) horticulture, equine science, forestry, natural resources, plant science, pomology, soil science, viticulture or other agriculture scienceOR the equivalent

3. **BOOKS AND INSTRUCTIONAL MATERIALS:** The total cost of books and instructional materials for SCHOOL DISTRICT students participating in CCAP course as part of this CCAP Agreement will be borne by SCHOOL DISTRICT. Current pricing and textbook availability are published on the COLLEGE bookstore website each semester.

4. **JOINT FACILITIES USE PROTOCOLS:** COLLEGE and SCHOOL DISTRICT shall adhere to the terms and protocols outlined in Section 19, Facilities, of the CCAP Agreement. SCHOOL DISTRICT, shall extend access and use of the following SCHOOL DISTRICT facilities:

BUILDING NAME & ADDRESS	CLASSROOM	DAYS	HOURS

ALLAN HANCOCK JOINT COMMUNITY COLLEGE
DISTRICT

By: _____
Vice-President, Academic Affairs

Date: _____

By: _____
Vice-President, Finance & Administration

Date: _____

CUYAMA VALLEY HIGH SCHOOL

By: _____
Principal

Date: _____

By: _____
Head Counselor

Date: _____



**Memorandum of Understanding (MOU)
Between
First 5 Santa Barbara County (First 5 SBC)
and
Cuyama Joint Unified School District (CJUSD)**

Initiative History

With social justice issues in the forefront of our minds and looking at the best ways to address the equity and access issues our student face, schools have often been at the center of our social and cultural shifts such as *Brown v. Board of Education* and *Mendez v. Westminster* (desegregation), *United States v. Lopez* (Gun-Free School Zones), and *Tinker v. Des Moines* (students' rights to protest on school grounds). Schools will continue to serve a parent's hope that a quality education will position their child to have a better future than their own.

More than ever, Local Education Agencies (LEAs) have risen as essential, anchor partnerships as they are an established, trusted system in which all children and their families eventually enter and remain for years – 13 on average. Linking 0-5 efforts with the TK-12 system ensures that strategies and priorities begin as early as possible during pivotal brain development years which lay the foundation for reading and math proficiencies as well as strengthen social and emotional readiness. Bridging the early care and education system with LEAs provides a continuum of learning for children as they transition between the two systems. Our intention is to create comprehensive systems of early education and support within regionally designated areas to increase opportunities to learn and eliminate income-based achievement gaps for children most at risk for school failure by the end of third grade.

UTK Requirements: Focus Area E: Facilities

The facility requirements of Universal Transitional Kindergarten (UTK) are meant to guide instruction and operations towards the developmentally appropriate needs of younger children. The requirements through Title 5 align with other early childhood education programs across California, but the enhanced quality indicators are what will ensure the best possible environments for four and five-year-old students to learn and thrive. Model TK classrooms and outdoor learning environments should follow the enhanced quality indicators to ensure school readiness. This partnership is meant to provide some of those enhancements and develop a model site in which a district can replicate in future years as funding is secured.

MOU Agreements

This Memorandum of Understanding ("MOU") is entered into by and between First 5 SBC and Cuyama Joint Unified School District. This agreement establishes a framework of partnership roles and responsibilities in support of the quality development of Transitional Kindergarten and Kindergarten spaces. This work meets the mission and vision of both First

5 SBC and Cuyama Joint Unified School District to ensure that high quality early learning and care experiences are available, so children are prepared and ready for school entry.

I. **Purpose.**

The purpose of the MOU is to clearly articulate and have a shared understanding of:

- The exchange and analysis of data that will be shared between parties;
- How the files and data will be used by each party;
- How and when the files and data will be shared; and
- The confidentiality of the files and data;
- How the First 5 SBC funds can be used to provide enhancements through this project; and
- Timelines of deliverables and reporting.

II. **Shared Agreement.**

The parties above have a shared agreement regarding the following areas;

- Use of files to track the **number of children** entering TK and Kindergarten in Santa Barbara County by year; and
- Use of files to track the **non-identified, demographic backgrounds** of children entering TK and Kindergarten in Santa Barbara County by year; and
- Use of files to track the number of children entering TK and Kindergarten in Santa Barbara County that have met **TK and Kindergarten readiness indicators** as demonstrated through the Preschool Student Entrance Profile (PSEP) and the Kindergarten Student Entrance Profile (KSEP) at all schools within the participating district; and
- Use of files to create **training and technical assistance support** for early childhood providers entering participating district and Transitional Kindergarten/Kindergarten teachers for process improvement and intervention efforts.

III. **Roles and Responsibilities of the Parties.**

- **First 5 SBC will:**
 - Host a Google File for the participating district where data can be transferred.
 - Provide access to the file to UC Santa Barbara for the term of this MOU to aggregate countywide results and provide individual reports to the districts. Identifying information will never be asked for.
 - Provide training and technical assistance for feeder preschools and TK/K teachers on the results of the participating districts data results and provide district administration with a recommended plan of action.
 - Provide participating districts with access to UCSB graduate students for the purpose of individual data collection, analysis, and study as requested in alignment with this project.

- **Cuyama Joint Unified School District will:**
 - i. Submit TK and Kindergarten Demographic Data to First 5 SBC and University of California Santa Barbara (UCSB) no later than September 30, 2025.
 - ii. Submit Preschool Student Entrance Profile (PSEP) and Kindergarten Student Entrance Profile (KSEP) data to First 5 and University of California Santa Barbara (UCSB) no later than October 15, 2025.
 - iii. Collect survey data twice a year from families and teaching staff on the benefits of nature and the outdoor classroom through the longitudinal research study with the University of Washington within the first three weeks of the school year and again at the end of the school year.
 - iv. Meet with First 5 SBC and UCSB in February 2026 to discuss pilot projects and help to develop multi-year proposals for future Commission Initiatives.
 - v. Agree to expend the Fiscal Year Award amount on items and/or processes that align with the initiative. The funds spent are at the discretion of the district.
 - 1. Purchase of TK classroom furniture and materials based on the Early Childhood Environmental Rating Scale.
 - 2. Opportunity to participate in a one-year Peer to Peer Project to explore best practices and strengthen vertical articulation with feeder ECE programs.
 - 3. Consultation workshops with Nature Explore and the development of an outdoor classroom conceptual plan that can be used with school architects. [Nature Explore Program - Playing Outside Brings Children to Life](#)
 - 4. Stipends for data collection and professional growth opportunities for Pre-K/TK teachers.
 - 5. TK/K Outdoor classroom materials and enhancements.

IV. Data Confidentiality.

The parties to this MOU will maintain the confidentiality of all data and file exchanged between the parties. The confidentiality requirements under this paragraph shall survive the termination or expiration of this MOU or any subsequent MOU intended to supersede this MOU. To ensure the continued confidentiality and security of the data processed, stored, or transmitted under this MOU, the parties' institutions shall establish a system of safeguards that will at a minimum include the following:

- Procedures and system that ensure all data and files are kept in a secured facility and access to such information is limited to personnel who are authorized to have access to data under this section of the MOU;

- First 5 SBC agrees to ensure that all data transferred from Cuyama Joint Unified School District will remain confidential.
- All designated staff at Cuyama Joint Unified School District involved in the handling, transmittal, and/or processing of data as part of this MOU, are bound under this MOU to maintain the confidentiality of all related personally identifiable information; and
- Procedures and systems shall require the use of secure passwords to access computer databases used to process, store, or transmit data provided under this MOU.

V. Assurances.

First 5 and Cuyama Joint Unified School District hereby certify and represent that they have all requisite power and authority to execute this MOU; and is supportive of and committed to the work of establishing model Transitional Kindergarten programming the CA Preschool Transitional Kindergarten Learning Foundations standards.

VI. Modifications.

This Memorandum of Understanding may be amended only by written agreement signed by each of the parties involved.

VII. Duration and Termination.

Term: This Memorandum of Understanding shall be effective, beginning July 1, 2025, ending June 30, 2026, or unless earlier terminated by the parties whichever occurs first.

Termination: First 5 and Cuyama Joint Unified School District has the right to terminate this MOU upon a thirty -day written notice to the other party to be provided to:

First 5 SBC: FIRST 5 Santa Barbara County
 Children & Families Commission
 5385 Hollister Ave., Bldg. 10, Suite 110
 Santa Barbara, CA 93111

CJUSD: Cuyama Joint Unified School District
 Superintendent/Principal or designee
 2300 Highway 166
 New Cuyama, CA 93254

VIII. SOLE RECOURSE.

Cuyama Joint Unified School District sole remedy is against First 5 and COMMISSION Trust Fund and Cuyama Joint Unified School District understands it will not seek

damages, specific performance, or other relief from the County of Santa Barbara or its agencies or employees.

The above constitutes our mutual agreement to participate in a partnership to transfer files and data.

First 5 Santa Barbara County

Cuyama Joint Unified SD

Signature/Date

Signature/Date

Wendy Sims Moten, Executive Director

Alfonso Gamino, Superintendent

CSBA POLICY GUIDE SHEET

June 2025

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts and county offices of education should review the **sample** materials and modify their own policies accordingly.

Board Policy 0410 - Nondiscrimination in District Programs and Activities

Policy updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Additionally, policy updated to reflect **NEW LAW (SB 1137, 2024)** which provides that prohibited discrimination includes discrimination not just because of one protected class under state law, but also because of the combination of two or more protected bases. In addition, policy updated to clarify, in accordance with various provisions of state and federal law and related court cases, the actual or perceived characteristics of an individual or group that may serve as a basis for unlawful discrimination in education programs and activities. Policy also updated to reflect **NEW LAW (AB 3074, 2024)** which prohibits public schools, except public schools operated by an Indian tribe or a tribal organization, from using the term "Redskins" as a school or athletic team name, mascot, or nickname, and, beginning July 1, 2026, prohibits public schools, other than those operated by an Indian tribe or a tribal organization, from using any derogatory Native American term for school or athletic team names, mascots, or nicknames without the written consent of a local federally recognized Indian tribe.

Board Policy 0420.4 - Charter School Authorization

Policy updated to reflect that the prohibition from approving a petition for the establishment of a new charter offering nonclassroom-based instruction extends to January 1, 2026. Additionally, policy updated to add the section "Material Revisions to Charter," which was moved from Board Policy 0420.41 - Charter School Oversight, as that section is more appropriately placed with material related to authorization of charter schools.

Administrative Regulation 0420.4 - Charter School Authorization

Regulation updated to reflect the inclusion of long-term English learners as a numerically significant subgroup, and to include the location of the charter school to the list of items to be described in the charter petition. Additionally regulation updated to reflect the requirement for comprehensive school safety plans (CSSP) to include adaptations for students with exceptional needs, **NEW LAW (AB 2887, 2024)** which requires CSSPs to include procedures for responding to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds, and **NEW LAW (AB 1858, 2024)** which requires CSSPs to include a provision relating to active shooter and armed assailant drills. In addition, regulation updated to expand upon the material related to suspensions and expulsions in the list of items to be described in the charter petition.

Board Policy 0420.41 - Charter School Oversight

Policy updated to add that the Superintendent or designee and the governing bodies of charter schools review new laws and regulations applicable to charter schools, and delete the section "Material Revisions to Charter," which was moved to Board Policy 0420.4 - Charter School Authorization, as that section is more appropriately placed with material related to authorization of charter schools.

Exhibit(1) 0420.41 - Charter School Oversight

Exhibit updated to include that the exhibit will not be updated after June 1, 2025. Additionally, exhibit updated to reflect (1) **NEW LAW (AB 3216, 2024)** which requires the governing body of a charter school to, by July 1, 2026, adopt policy that limits or prohibits student use of smartphones while at a school site or under the supervision and control of district employee(s), and subsequently, to update the policy every five years, (2) the requirement for charter schools to, by July 1, 2026, develop, adopt, implement, and annually review weather protocols for extreme weather conditions, (3) the requirement for members of the governing body in service as of January 1, 2025, except for members whose term of office ends before January 1, 2026,

to receive ethics training before January 1, 2026, and at least once every 2 years thereafter, (4) **NEW LAW (SB 153, 2024)** which requires, if the governing body is unable to review local indicator due to any specified emergency, to review such data at its next meeting, adopt a resolution describing the emergency event and the date on which the local indicator data was reviewed, and submit the resolution to the California Department of Education (CDE), (5) **NEW LAW (SB 1318, 2024)**, which requires the governing body to, on or after July 1, 2026, update its policy to include best practices identified in CDE's updated Model Youth Suicide Prevention Policy related to crisis intervention protocols in the event of a student suicide crisis, (6) **NEW LAW (SB 1137, 2024)** which provides that prohibited discrimination includes discrimination not just because of one protected class under state law, but also because of the combination of two or more protected bases, (7) **NEW LAW (SB 153, 2024)** which prohibits the governing body from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination, (8) **REVISED GUIDANCE** from the California Attorney General related to responding to immigration enforcement in K-12 schools, (9) **NEW LAW (AB 1955, 2024)** which prohibits a charter school or a member of the governing body of a charter school, from enacting or enforcing any policy, rule, or administrative regulation that would require an employee or a contractor to disclose any information related to a student's sexual orientation, gender identity, or gender expression to any other person without the student's consent, unless otherwise required by state or federal law, (10) **NEW LAW (SB 153, 2024)** which requires the annual update to the local control and accountability plan (LCAP) to be presented as a nonconsent item at the meeting of the governing body, and that all Learning Recovery Emergency Funds received by the charter school to be included in the LCAP/annual update to the LCAP for the period of July 1, 2025 through June 30, 2028, (11) **NEW LAW (SB 1429, 2024)** which adds snowstorms to the list of emergencies for which a charter school may apply to the Superintendent of Public Instruction to obtain apportionment credit, (12) **NEW LAW (AB 2429, 2024)** which requires the governing body of a charter school that has elected to require its students to complete a course in health education for graduation from high school to include instruction in the dangers associated with fentanyl use, (13) **NEW LAW (AB 1796, 2024)** which requires charter schools to annually notify parents/guardians of students admitted to, or advancing to, grades 7-12, of any dual enrollment or International Baccalaureate courses offered by the local educational agency, (14) **NEW LAW (SB 153, 2024)** which authorizes charter schools, until July 1, 2031, to extend the exemption from all coursework and other requirements adopted by the charter school governing body that are in addition to the statewide course requirements, and award a high school diploma, to an eligible student with exceptional needs who was enrolled in grade 10 or higher in the 2022-23 school year, (15) **NEW LAW (AB 2345, 2024)** which prohibits the charter school from hiring any person for purposes of a short-term staff permit, provisional internship permit, or a teaching permit for statutory leave, unless that person has a certification in cardiopulmonary resuscitation that meets the standards established by the American Heart Association or the American Red Cross, (16) **NEW LAW (AB 2534, 2024)** which requires charter schools, when considering an applicant for a certificated position, to inquire with each local educational agency that previously employed the applicant if the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were required to be reported to the Commission on Teacher Credentialing, (17) **NEW LAW (AB 1913, 2024)** which requires charter schools to provide annual training to employees on the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, (18) **NEW LAW (AB 2316, 2024)** which prohibits charter schools, beginning December 31, 2027, from offering or selling, except for food items sold as part of a school fundraising event, foods containing artificial food dyes that have been linked to hyperactivity and behavioral issues in some children, (19) **NEW LAW (SB 1063, 2024)** which requires charter schools that serve students in grades 7-12 and issue or reissue student identification cards to have printed on either side of the card the telephone number for the 988 Suicide and Crisis Lifeline and the National Suicide Prevention Lifeline (1-800-273-8255), (20) **NEW LAW (SB 939, 2024)** which requires charter schools to ensure that specified resources related to neurodiversity are readily accessible in a prominent location on the school's website in a manner that is easily accessible to parents/guardians and students, (21) **NEW LAW (SB 997, 2024)** which provides that a charter school may not prohibit a student in middle school, junior high school, or high school, while on a school site or participating in school activities, from carrying fentanyl test strips or a federally approved opioid antagonist for the emergency treatment of persons suffering, or reasonably believed to be suffering, from an opioid overdose, (22) **NEW LAW (AB 2998, 2024)** which provides that a charter school may not prohibit students 12 years of age or older, while on a school site or participating in school activities, from carrying or administering, for the purposes of providing emergency treatment to persons who are suffering,

or reasonably believed to be suffering, from an opioid overdose, a naloxone hydrochloride nasal spray or any other opioid overdose reversal medication, (23) **NEW LAW (AB 1984, 2024)** which requires, commencing with the 2026-27 school year, charter schools to provide to CDE data on student transfers due to disciplinary reasons, including whether the student transferred to an alternative school based on a referral by the school, (24) **NEW LAW (AB 2711, 2024)** which provides that students who voluntarily disclose their use of a tobacco product, controlled substance, alcohol, or an intoxicant of any kind in order to seek help through services or supports may not be suspended solely for that disclosure, (25) **NEW LAW (AB 2565, 2024)** which requires charter schools serving students in grades kindergarten-12 that undertake an addition, alteration, reconstruction, rehabilitation, or retrofit of a school building, to install interior locks on each door of any room with an occupancy of 5 or more persons in that school building.

Board Policy 0440 - District Technology Plan

Policy updated to revise the philosophical paragraph to acknowledge, in addition to the benefits gained from technological resources, potential negative consequences. Additionally, policy updated to add material related to the alignment of technological resources with other district goals, objectives, and academic standards, the safe use of technological resources, the use of technology in accordance with district policy, and the use of artificial intelligence, as applicable. In addition, policy updated to (1) reflect that state law and the California Department of Education no longer requires districts to have a technology plan and (2) maintain the requirement for the Superintendent to develop and regularly propose revisions to a technology plan. Policy also updated to list the components to be included in the district technology plan.

Delete - Administrative Regulation 0440 - District Technology Plan

Regulation deleted as unnecessary since the California Department of Education no longer requires districts to have a technology plan.

New - Board Policy 0441 - Artificial Intelligence

New policy provides principles for the district regarding the use of artificial intelligence (AI) by students and staff, and requires the Superintendent to ensure that the use of AI is consistent with district policy.

Board Policy 0450 - Comprehensive Safety Plan

Policy updated to include in the philosophical statement that, in addition to high expectations for student conduct, there are high expectations for staff conduct. Additionally, policy updated to reflect legislative intent to provide staff training on the comprehensive school safety plan.

Administrative Regulation 0450 - Comprehensive Safety Plan

Regulation updated to reflect **NEW LAW (AB 2887, 2024)** which (1) provides legislative intent that districts develop a comprehensive school safety plan (CSSP) in consultation with local medical services personnel and other persons who may be interested in the health and safety of students, and (2) requires CSSPs to include procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds. Additionally, regulation updated to reflect **NEW LAW (AB 2968, 2024)** which requires, beginning with the 2026-27 school year, the disaster procedures in CSSPs to include a procedure to identify appropriate refuge shelter for all students and staff for use in the event of an evacuation order and, for any school in a high or very high fire hazard severity zone, a communication and evacuation plan to be used in the event of an early notice evacuation warning that allows enough time to evacuate all students and staff, and **NEW LAW (AB 1858, 2024)** which requires, if the CSSP includes procedures to prepare for active shooters or other armed assailants by conducting a drill, the drill to be in accordance with specified components. In addition, regulation updated to reflect **NEW LAW (SB 153, 2024)** which requires CSSPs to include an instructional continuity plan to establish communication and provide instruction to students when in-person instruction is disrupted due to an emergency.

Board Policy 1113 - District and School Websites

Policy updated to make the philosophical paragraph more current by assuming that districts have websites and to recognize the value of district and school websites for communication purposes. Additionally, policy updated to **NEW LAW (AB 1785, 2024)** which prohibits districts from publicly posting online specified

information of any elected or appointed official, such as a Governing Board member, without first obtaining the written permission of that individual.

Administrative Regulation 1113 - District and School Websites

Regulation updated to reflect **NEW REGULATION (89 Fed.Reg. 31337)** which establishes requirements and technical standards for making web content offered by government entities accessible to the public. Additionally, regulation updated to provide minor clarifications, and revisions to style.

Exhibit(1) 1113 - District and School Websites

Exhibit updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Additionally, exhibit updated to reflect **NEW LAW (SB 939, 2024)** which requires districts to ensure that specified resources related to neurodiversity are readily accessible in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students. In addition, exhibit updated to include the requirement, beginning January 1, 2027, for districts to post a notification of the hearing date and location for inspection for the district's proposed budget prominently on the district's website homepage at least three days before the availability of the proposed budget for public inspection. Exhibit also updated to reflect **NEW LAW (AB 2690, 2024)** which requires districts to post information about the risks of social media being used as a way to market and sell synthetic drugs.

Board Policy 1312.3 - Uniform Complaint Procedures

Policy updated to reflect **NEW LAW (SB 1137, 2024)** which provides that prohibited discrimination includes discrimination not just because of one protected class under state law, but also because of the combination of two or more protected bases. Additionally, policy updated to clarify, in accordance with various provisions of state and federal law and related court cases, the actual or perceived characteristics of an individual or group that may serve as a basis for unlawful discrimination in education programs and activities. In addition, policy updated to reflect the California Department of Education's federal program monitoring instrument which now lists "Instructional Materials and Curriculum: Diversity" as its own item, and **NEW LAW (AB 3074, 2024)** which requires the use of the uniform complaint procedures to resolve complaints related to school or athletic team names, mascots, or nicknames. Policy also updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024, and clarify that the Title IX regulations as they existed prior to August 1, 2024 are required to be used to address any complaint alleging sexual harassment, as defined, based on conduct that occurred between August 14, 2020 and July 31, 2024, and after January 9, 2025.

Administrative Regulation 1312.3 - Uniform Complaint Procedures

Regulation updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Additionally, regulation updated to delete language which is not required by law related to receipt of an investigation report by respondent and consideration of an appeal by the Governing Board. In addition, regulation updated to delete material which is no longer supported related to an alleged victim receiving information in the notice of the investigation report about sanction(s) to be imposed upon a respondent that relates directly to an alleged victim.

Exhibit(1) 1312.3 - Uniform Complaint Procedures

Exhibit updated in conjunction with accompanying Board policy and administrative regulation.

Exhibit(2) 1312.3 - Uniform Complaint Procedures

Exhibit updated in conjunction with accompanying Board policy and administrative regulation, with minor revisions to more closely align with law.

Administrative Regulation 3512 - Equipment

Regulation updated to clarify that (1) district equipment may only be used for an approved district-related purpose, (2) the Superintendent or designee is required to maintain property records as specified in Administrative Regulation 3440 - Inventories, including updating property records when there is a change in the status of the property, (3) the Superintendent or designee is required to obtain prior approval from the California Department of Education or other awarding agency before disposing or encumbering equipment purchased with federal funds, and (4) persons involved in the selection, award, or administration of a contract supported by federal funds comply with the requirements specified in 2 CFR 200.13 and 200.318, and in accordance with Administrative Regulation 3230 - Federal Grant Funds and Board Bylaw 93270 - Conflict of Interest.

Exhibit(1) 3512 - Equipment

Exhibit updated in conjunction with accompanying administrative regulation, with the condition of equipment included in the description of loaned equipment.

Administrative Regulation 3542 - School Bus Drivers

Regulation updated to include in the philosophical statement that in order to administer safe and efficient transportation of students, the district may employ its own school bus or student activity bus drivers or contract with an agency to provide such drivers. Additionally, regulation updated to reflect specified qualification and training requirements for all drivers employed to operate school buses or student activity buses. In addition, regulation updated to add, to the list of required training for drivers, training related to the district's transportation safety plan. Regulation also updated to include additional requirements for drivers employed to operate school buses or student activity buses related to length of driving time, daily log sheets, and pretrip inspections. Additionally, regulation updated to add that the Superintendent or designee retain records of school bus accident reports, including a report of each accident that occurred on public or private property involving a school bus with students aboard, including pertinent details of the accident, for 12 months from the date of the accident, and that if the accident was not investigated by the California Highway Patrol (CHP), the Superintendent or designee forward a copy of the report to the local CHP within five business days of the date of the accident.

Board Policy 4030 - Nondiscrimination in Employment

Policy updated to align those who are included as "employees" for purposes of the policy and accompanying administrative regulation with analogous language in related sample Board policies and administrative regulations. Additionally, policy updated to reflect **NEW LAW (SB 1137, 2024)** which provides that prohibited discrimination includes discrimination not just because of one protected class under state law, but also because of the combination of two or more protected bases. In addition, policy updated to clarify, in accordance with various provisions of state and federal law and related court cases, the actual or perceived characteristics of an individual or group that may serve as a basis for unlawful discrimination in the course of employment. Policy also updated to reflect **NEW LAW (SB 1100, 2024)** which makes it an unlawful employment practice to include a statement in a job advertisement, posting, application, or other material that an applicant is required to have a driver's license, unless specified conditions are satisfied. Additionally, policy updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024, and clarify that the Title IX regulations as they existed prior to August 1, 2024 are required to be used to address any complaint alleging sexual harassment, as defined, based on conduct that occurred between August 14, 2020 and July 31, 2024, and after January 9, 2025. In addition, policy updated to include material related to sex discrimination, which had been moved to Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment when last revised based on the now vacated Title IX regulations, in order to keep material related to all forms of discrimination together.

Administrative Regulation 4030 - Nondiscrimination in Employment

Regulation updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX

based on the regulations as they existed prior to August 1, 2024, and clarify that the Title IX regulations as they existed prior to August 1, 2024 are required to be used to address any complaint alleging sexual harassment, as defined, based on conduct that occurred between August 14, 2020 and July 31, 2024, and after January 9, 2025. Additionally, regulation updated to delete material related to Title IX sexual harassment, which was added when last revised based on the now vacated Title IX regulations, and include in Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 - Sexual Harassment to keep material related to sexual harassment, including Title IX sexual harassment, together.

Board Policy 4033 - Lactation Accommodation

Policy updated to clarify that required lactation accommodations apply to expressing breast milk, rather than breastfeeding an infant child, and that these accommodations are required for at least a year after the birth of the child. Additionally, policy updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024, and delete references to Title IX because lactation accommodations, although required by state law and other federal law, are not required by the Title IX regulations as they existed prior to August 1, 2024.

Board Policy 4112.9/4212.9/4312.9 - Employee Notifications

Policy updated in conjunction with the accompanying exhibit, with no substantive changes made.

Exhibit(1) 4112.9/4212.9/4312.9 - Employee Notifications

Exhibit updated to reflect (1) **NEW LAW (AB 2473, 2024)** which requires districts to comply with specified notice requirements related to transfer of coursework and credits for students participating in a newcomer program, as defined, (2) **NEW LAW (AB 2499, 2024)** which requires districts to provide notice of the rights pertaining to leaves and accommodations for victims of qualifying acts of violence, (3) **NEW LAW (AB 1870, 2024)** which requires notice of the district's current compensation insurance carrier, or if appropriate, that the district is self-insured, and who is responsible for claims adjustment, (4) the requirement to post a notice explaining the California Family Rights Act provisions and procedures for filing complaints of violations of the Act with the Civil Rights Department, (5) **NEW LAW (SB 153, 2024)** which requires notice to certificated employees on existing school site and community resources related to the support of students who may face bias or bullying, and (6) **NEW LAW (AB 2499, 2024)** which requires the district to provide notice, when an employee informs the district that the employee or the employee's family member is a victim of a qualifying act of violence, of accommodations and leave for victims of a qualifying act of violence. Additionally, exhibit updated to delete the notification related to potential exposure to COVID-19 as this notification is no longer required.

Board Policy 4119.11/4219.11/4319.11 - Sexual Harassment

Policy updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Additionally, policy updated to delete material related to sex discrimination, which was added when last revised based on the now vacated Title IX regulations, and include in Board Policy and Administrative Regulation 4030 - Nondiscrimination in Employment to keep material related to discrimination, including sex discrimination, together. In addition, policy updated to add general statement related to the prohibition of discrimination on the basis of sex and compliance with Title IX, which was moved from the accompanying administrative regulation. Policy also updated to align those who are included as "employees" for purposes of the policy and accompanying administrative regulation with analogous language in related sample Board policies and administrative regulations.

Administrative Regulation 4119.11/4219.11/4319.11 - Sexual Harassment

Regulation updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Additionally, regulation updated to delete material related to sex discrimination, which was added when last revised based on the now vacated Title IX

regulations, and include in Board Policy and Administrative Regulation 4030 - Nondiscrimination in Employment to keep material related to discrimination, including sex discrimination, together. In addition, regulation updated to delete general statement related to the prohibition of discrimination on the basis of sex and compliance with Title IX, which was moved to the accompanying Board policy. Regulation also updated to reflect **NEW LAW (SB 1137, 2024)** which provides that prohibited discrimination or harassment includes discrimination or harassment not just because of one protected class under state law, but also because of the combination of two or more protected bases. Additionally, regulation updated to clarify, in accordance with various provisions of state and federal law and related court cases, the actual or perceived characteristics of an individual or group that may serve as a basis for sexual harassment in the course of employment. In addition, regulation updated to delete examples of actions that may constitute sexual harassment as it is nuanced regarding when the action(s) amount to sexual harassment.

Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures

Regulation updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024, and clarify that the Title IX regulations as they existed prior to August 1, 2024 are required to be used to address any complaint alleging sexual harassment, as defined, based on conduct that occurred between August 14, 2020 and July 31, 2024, and after January 9, 2025. Additionally, regulation updated to delete material related to sex discrimination, which was added when last revised based on the now vacated Title IX regulations, as the Title IX regulations as they existed prior to August 1, 2024 only require complaints alleging sexual harassment to follow the Title IX grievance procedures. In addition, regulation updated to require that records of insurance which evidence the district's coverage for acts of sexual assault be maintained indefinitely.

Exhibit(1) 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures

Exhibit updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024, and revise the notification requirements accordingly.

Board Policy 5125.1 - Release of Directory Information

Policy updated to include that a student's directory information may only be included in the minutes of the Governing Board's meeting in accordance with Board Bylaw 9324 - Minutes and Recordings. Additionally, policy updated to delete options regarding access to directory information to employers, colleges, and military recruiters and instead provide that colleges and prospective employers, including military recruiters, have access to a student's name, address, email address, and telephone number, unless the student's parent/guardian, or the student, if the student is 18 years of age or older, has specified that the information not be released.

Administrative Regulation 5125.1 - Release of Directory Information

Regulation reviewed in conjunction with accompanying Board Policy, with minor clarifications and rearrangement of material.

Exhibit(1) 5125.1 - Release of Directory Information

Exhibit updated to clarify when a student's identification number, user identification, or other unique personal identifier may be used to communicate in electronic systems, and add that the district may disclose a student identification number or other unique personal identifier that is displayed on a student identification badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user. Additionally, exhibit updated to reflect **REVISED GUIDANCE** from the California Attorney General related to responding to immigration enforcement in K-12 schools, clarifying that the district may not disclose a student's Social Security number.

Administrative Regulation 5131.41 - Use of Seclusion and Restraint

Regulation updated to reflect **NEW LAW (SB 483, 2024)** which prohibits the use of prone restraint and prone containment, and add the requirement that the district's data on the use of seclusion and behavioral restraint be reported on the district's website.

Board Policy 5145.3 - Nondiscrimination/Harassment

Policy updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Additionally, policy updated to reflect **NEW LAW (SB 1137, 2024)** which provides that prohibited discrimination includes discrimination not just because of one protected class under state law, but also because of the combination of two or more protected bases. In addition, policy updated to clarify, in accordance with various provisions of state and federal law and related court cases, the actual or perceived characteristics of an individual or group that may serve as a basis for unlawful discrimination in education programs and activities. Policy also updated to make permissive, when a student has been suspended or other means of correction have been implemented for an incident of racist bullying, harassment, or intimidation the (1) engagement of a victim and perpetrator in restorative justice practices, (2) engagement of the perpetrator in culturally sensitive programs, and (3) regular checks on the victim to ensure the victim is not in danger of suffering from any long-lasting mental health issues, as these measures are encouraged rather than required by state law.

Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Regulation updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024, and clarify that the Title IX regulations as they existed prior to August 1, 2024 are required to be used to address any complaint alleging sexual harassment, as defined, based on conduct that occurred between August 14, 2020 and July 31, 2024, and after January 9, 2025. Additionally, regulation updated to reflect **NEW LAW (SB 939, 2024)** which requires districts to ensure that specified resources related to neurodiversity are readily accessible in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students. In addition, regulation updated to delete material related to Title IX sexual harassment, which was added when last revised based on the now vacated Title IX regulations, and include in Board Policy and Administrative Regulation 5145.7 - Sexual Harassment to keep material related to sexual harassment, including Title IX sexual harassment, together. Regulation also updated to add section "Support for Intersex, Nonbinary, Transgender and Gender-Nonconforming Students," which was moved from Administrative Regulation 5145.7 - Sexual Harassment and updated in accordance with various provisions of state and federal law and related court cases.

Board Policy 5145.6 - Parent/Guardian Notifications

Policy updated in conjunction with the accompanying exhibit, with minor stylistic changes.

Exhibit(1) 5145.6 - Parent/Guardian Notifications

Exhibit updated to reflect (1) **NEW LAW (AB 2179, 2024)** which requires notification on local apprenticeship and preapprenticeship programs, (2) **NEW LAW (AB 1796, 2024)** which requires notification of any dual enrollment or International Baccalaureate courses offered by the district, (3) **NEW LAW (AB 2690, 2024)** which requires notification of the risk of social media platforms being used as a way to market and sell synthetic drugs such as fentanyl, (4) **NEW LAW (AB 2473, 2024)** which requires districts to comply with specified notice requirements related to transfer of coursework and credits for students participating in a newcomer program, as defined, (5) **NEW LAW (AB 2630, 2024)** which defines "kindergarten" for purposes of proof of having received an oral health assessment as both transitional kindergarten and kindergarten, (6) **NEW LAW (SB 153, 2024)** which requires notification regarding the Californiacolleges.edu platform and that student data may be shared with the California College Guidance Initiative, (7) **NEW LAW (SB 691, 2024)** which requires revised and additional notifications related to truancy, (8) **NEW LAW (AB 3262, 2024)** which requires students to be notified of the location of all automated external defibrillators on campus, (9) **NEW LAW (AB 543, 2024)** which requires the district to

display a poster that notifies students of the applicable written policy on sexual harassment required by Education Code 231.5, and (1) the requirement for signage identifying a bathroom facility as being open to all genders and in conformity with Title 24 of the California Code of Regulations, that the bathroom is available during school hours and school functions when students are present, and designated point of contact.

Board Policy 5145.7 - Sexual Harassment

Policy updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Additionally, policy updated to delete material related to sex discrimination, which was added when last revised based on the now vacated Title IX regulations, and include in Board Policy and Administrative Regulation 5145.3 - Nondiscrimination/Harassment to keep material related to discrimination, including sex discrimination, together. In addition, policy updated to add general statement related to the prohibition of discrimination on the basis of sex and compliance with Title IX, which was moved from the accompanying administrative regulation.

Administrative Regulation 5145.7 - Sexual Harassment

Regulation updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Additionally, regulation updated to delete material related to sex discrimination, which was added when last revised based on the now vacated Title IX regulations, and include in Board Policy and Administrative Regulation 5145.3 - Nondiscrimination/Harassment to keep material related to discrimination, including sex discrimination, together. In addition, regulation updated to delete general statement related to the prohibition of discrimination on the basis of sex and compliance with Title IX, which was moved to the accompanying Board policy. Regulation also updated to reflect **NEW LAW (SB 1137, 2024)** which provides that prohibited discrimination or harassment includes discrimination or harassment not just because of one protected class under state law, but also because of the combination of two or more protected bases. Additionally, regulation updated to clarify, in accordance with various provisions of state and federal law and related court cases, the actual or perceived characteristics of an individual or group that may serve as a basis for sexual harassment in district programs and activities. In addition, regulation updated to delete examples of actions that may constitute sexual harassment as it is nuanced regarding when the action(s) amount to sexual harassment. Regulation also updated to delete section "Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students," as this section was moved to Administrative Regulation 5145.3 - Nondiscrimination/Harassment and amended.

Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures

Regulation updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024, and clarify that the Title IX regulations as they existed prior to August 1, 2024 are required to be used to address any complaint alleging sexual harassment, as defined, based on conduct that occurred between August 14, 2020 and July 31, 2024, and after January 9, 2025. Additionally, regulation updated to delete material related to sex discrimination, which was added when last revised based on the now vacated Title IX regulations, as the Title IX regulations as they existed prior to August 1, 2024 only require complaints alleging sexual harassment to follow the Title IX grievance procedures. In addition, regulation updated to clarify that when a student is a respondent and is removed from school on an emergency basis, the removal may not constitute discipline for other purposes. In addition, regulation updated to require that records of insurance which evidence the district's coverage for acts of sexual assault be maintained indefinitely.

Exhibit(1) 5145.71 - Title IX Sexual Harassment Complaint Procedures

Exhibit updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department

of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024, and revise the notification requirements accordingly.

Board Policy 5146 - Married/Pregnant/Parenting Students

Policy updated to reflect **NEW COURT DECISION (Tennessee v. Cardona)** which vacated nationwide the Title IX regulations which took effect August 1, 2024, and **NEW GUIDANCE** from the U.S. Department of Education's Office for Civil Rights (OCR) which clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Additionally, policy updated to identify rights and privileges of a student under 18 years of age who enters into a valid marriage. In addition, policy updated to clarify the period of time of parental leave, and that failure to notify the district of the student's intent to take parental leave does not abridge a student's rights in this regard.

Board Policy 6142.91 - Reading/Language Arts Instruction

Policy updated to add to the philosophical statement "listening, speaking, and composition" as effective communication skills. Additionally, policy updated to clarify that the Governing Board adopt instructional materials that meet or exceed the Common Core State Standards. In addition, policy updated to add new section "Screening for Risk of Reading Difficulties" that provides for required (1) Board adoption of screening instruments to assess students in grades kindergarten-2 for risk of reading difficulties and (2) annual assessment each student in grades kindergarten-2 for risk of reading difficulties, unless exempted. Policy also updated to add requirement for (1) the provision of specified information to parents/guardians of students eligible for screening for risk of reading difficulties, and (2) that employees administering screening instruments for risk of reading difficulties be appropriately trained to administer the instrument.

Board Policy 6145.2 - Athletic Competition

Policy updated to reflect **NEW LAW (AB 3074, 2024)** which (1) prohibits public schools, except public schools operated by an Indian tribe or a tribal organization, from using the term "Redskins" as a school or athletic team name, mascot, or nickname, (2) beginning July 1, 2026, prohibits public schools, other than those operated by an Indian tribe or a tribal organization, from using any derogatory Native American term for school or athletic team names, mascots, or nicknames without the written consent of a local federally recognized Indian tribe, (3) requires any district school using or in which any such derogatory term is being used, to complete the implementation of a new school or athletic team name, mascot, or nickname before the start of the 2028-2029 school year, and (4) provides if a school selects a new school or athletic team name due to this prohibition, then any purchases or replacements of materials or fixtures due required by the implementation of the new name be completed before the start of the 2028-2029 school year. Additionally, policy updated to require that the district post on its website the California Department of Education's standardized incident form to track racial discrimination, harassment, or hazing that occurs at high school sporting games or events, including information on how to submit a completed incident form. In addition, policy updated to state that student athletes, coaches, parents/guardians, spectators, and others are required to teach, enforce, advocate, and abide by the applicable Code of Conduct adopted by the California Interscholastic Federation (CIF). Policy also updated to require the written emergency action plan to include the location of emergency medical equipment, procedures to be followed in the event of concussion and heat illness, and a description of the manner and frequency at which the procedures to be followed in the event of medical emergencies will be rehearsed, pursuant to coaches training requirements as specified in law. Additionally, policy updated to include that coaches and/or athletic trainers comply with any training required by law and in accordance with the accompanying administrative regulation and Administrative Regulation 4127/4227/4327 - Temporary Athletic Team Coaches.

Administrative Regulation 6145.2 - Athletic Competition

Regulation updated to clarify that the Superintendent or designee (1) provide training to coaches and/or athletic trainers regarding the signs and symptoms of, and the appropriate response to, concussions and sudden cardiac arrest, and (2) acquire at least one automated external defibrillator (AED) for each district school that participates in any interscholastic athletic program. Additionally, regulation updated to reflect **NEW LAW (AB 3262, 2024)** which requires students to be notified of the location of any AED, and to clarify that notice provided to students and their parents/guardians related to the filing a discrimination complaint that arises out of an interscholastic athletic activity include the name of the district's Compliance Officer, in addition to the district's Title IX Coordinator.

Administrative Regulation 6159.4 - Behavioral Interventions for Special Education Students

Regulation updated to reflect the requirement for the district's data on the use of seclusion and behavioral restraint to be reported on the district's website and submitted to the California Department of Education, and **NEW LAW (SB 483, 2024)** which prohibits the use of prone restraint and prone containment.

Board Bylaw 9011 - Disclosure of Confidential/Privileged Information

Bylaw updated to expand and clarify definition of confidential information to include (1) information acquired by being present in a closed session that is specifically related to the basis for the Governing Board to meet lawfully in closed session, (2) information acquired in anticipation of a closed session, or as follow-up to a closed session, that is specifically related to the basis for the Board to meet lawfully in closed session, (3) information contained in communications provided to Board members from the district's attorney, and (4) information deemed confidential by the Board. Additionally, bylaw updated to clarify that confidential information does not include information that is already publicly disclosed, provided that the initial disclosure did not violate law or Board bylaws or policies. In addition, bylaw updated to expand material related to (1) a Board member willfully and knowingly using or disclosing for pecuniary gain information acquired in the course of the Board member's official duties, and (2) actions the Board may pursue if a Board member threatens to disclose or discloses confidential information. Bylaw also updated to remove reference to employees, which are governed by Board Policy 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information.

CSBA UPDATE CHECKLIST –June 2025

District Name: _____

Contact Name: _____ Phone: _____ Email: _____

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE	MANDATED
BP 0410	Nondiscrimination in District Programs and Activities	Fill in Blanks _____ _____ _____		X
BP 0420.4	Charter School Authorization			
AR 0420.4	Charter School Authorization			
BP 0420.41	Charter School Oversight			
E(1) 0420.41	Charter School Oversight			
BP 0440	District Technology Plan			
AR 0440	District Technology Plan	Delete BP <input type="checkbox"/> Yes <input type="checkbox"/> No		
BP 0441	Artificial Intelligence	NEW POLICY		
BP 0450	Comprehensive Safety Plan			
AR 0450	Comprehensive Safety Plan	OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/>		
BP 1113	District and School Websites			
AR 1113	District and School Websites			
E(1) 1113	District and School Websites			
BP 1312.3	Uniform Complaint Procedures	Fill in Blanks _____ _____ _____ _____		X
AR 1312.3	Uniform Complaint Procedures			X

CSBA UPDATE CHECKLIST – June 2025

District Name: _____

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE	MANDATED
E(1) 1312.3	Uniform Complaint Procedures	<div>Fill in Blanks</div> <div></div> <div></div> <div></div>		
E(2) 1312.3	Uniform Complaint Procedures			
AR 3512	Equipment			
E(1) 3512	Equipment			
AR 3542	School Bus Drivers			X
BP 4030	Nondiscrimination in Employment			X
AR 4030	Nondiscrimination in Employment			X
BP 4033	Lactation Accommodation			X
BP 4112.9	Employee Notifications			
E(1) 4112.9	Employee Notifications			
BP 4212.9	Employee Notifications			
E(1) 4212.9	Employee Notifications			
BP 4312.9	Employee Notifications			
E(1) 4312.9	Employee Notifications			
BP 4119.11	Sexual Harassment			X
AR 4119.11	Sexual Harassment			X
BP 4219.11	Sexual Harassment			X
AR 4219.11	Sexual Harassment			X
BP 4319.11	Sexual Harassment			X
AR 4319.11	Sexual Harassment			X

CSBA UPDATE CHECKLIST – June 2025

District Name: _____

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE	MANDATED
AR 4119.12	Title IX Sexual Harassment Complaint Procedures			X
E(1) 4119.12	Title IX Sexual Harassment Complaint Procedures			
AR 4219.12	Title IX Sexual Harassment Complaint Procedures			X
E(1) 4219.12	Title IX Sexual Harassment Complaint Procedures			
AR 4319.12	Title IX Sexual Harassment Complaint Procedures			X
E(1) 4319.12	Title IX Sexual Harassment Complaint Procedures			
BP 5125.1	Release of Directory Information			X
AR 5125.1	Release of Directory Information			X
E(1) 5125.1	Release of Directory Information			
AR 5131.41	Use of Seclusion and Restraint			
BP 5145.3	Nondiscrimination/Harassment			X
AR 5145.3	Nondiscrimination/Harassment	Fill in Blanks <hr/> <hr/> <hr/>		X
BP 5145.6	Parent/Guardian Notifications			
E(1) 5145.6	Parent/Guardian Notifications			
BP 5145.7	Sexual Harassment			X
AR 5145.7	Sexual Harassment			X
AR 5145.71	Title IX Sexual Harassment Complaint Procedures			X
E(1) 5145.71	Title IX Sexual Harassment Complaint Procedures			
BP 5146	Married/Pregnant/Parenting Students			
BP 6142.91	Reading/Language Arts Instruction			

CSBA UPDATE CHECKLIST – June 2025

District Name: _____

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE	MANDATED
BP 6145.2	Athletic Competition			
AR 6145.2	Athletic Competition			
AR 6159.4	Behavioral Interventions for Special Education Students			
BB 9011	Disclosure of Confidential/Privileged Information			

Policy 0410: Nondiscrimination In District Programs And Activities

Status: ADOPTED

Original Adopted Date: 02/01/2014 | **Last Revised Date:** 07/06/01/2024/2025 | **Last Reviewed**
Date: 07/06/01/2024/2025

CSBA NOTE: Education Code 234.1 mandates districts to adopt policy as well as a process to ensure that district programs and activities are free from unlawful discrimination. Education Code 234.1 requires that the district's nondiscrimination policy include a statement that the policy applies to all acts related to a school activity or school attendance and, as amended by AB 1078 (Ch. 229, Statutes of 2023), to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district. Education Code 234.1, as amended by AB 1078, contains similar language regarding the County Board of Education and the County Superintendent of Schools.

In accordance with various provisions of state and federal law, discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual. Education Code 220 prohibits discrimination based on race or ethnicity, nationality, immigration status, sex, sexual orientation, gender, gender identity, gender expression, religion, disability, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55. Education Code 260 prohibits discrimination based on age. Government Code 11135 prohibits discrimination based on many of the foregoing characteristics and on an individual's genetic information and medical condition. Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7) prohibits discrimination on the basis of race, color, and national origin. Title IX (20 USC 1681-1688; 34 CFR 106.1-106.82, as amended by 89 Fed. Reg. 33474) prohibits discrimination on the basis of sex, including sex stereotypes; sex characteristics; gender; gender identity; sexual orientation; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. The Americans with Disabilities Act (ADA) (42 USC 12101-12213) and Section 504 of the Rehabilitation Act of 1973 (29 USC 794) prohibit discrimination on the basis of disability. For policy language protecting students against discrimination and harassment, see BP/AR 5145.3 – Nondiscrimination/Harassment and BP/AR 5145.7 – Sex Discrimination and Sex-Based Harassment, and for language regarding Title IX complaint procedures, see AR 5145.71 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

In accordance with various provisions of state and federal law and regulation, and related court cases, discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual. This includes, but is not limited to, discrimination based on race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation ; sex stereotypes; gender; gender identity; gender expression; religion; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and

parental, marital, and family status. For more information specific to the protection of students against discrimination and harassment, see BP/AR 5145.3 - Nondiscrimination/Harassment and BP/AR 5145.7 - Sexual Harassment.

Government Code 12940 provides additional protections for employees, job applicants, unpaid interns, and volunteers against unlawful discrimination and harassment on the basis of actual or perceived age; religious creed; reproductive health decision-making; sex, which includes some of the characteristics listed in the prior paragraph, as well as breastfeeding; and veteran or military status. For more information specific to the protection against discrimination as related to volunteers, see BP 1240 - Volunteer Assistance, and, as related to employees, unpaid interns, and job applicants, see BP 4030 - Nondiscrimination in Employment and BP 4119.11/4219.11/4319.11 - Sexual Harassment.

Additionally, Education Code 200 and 210.2, and Government Code 12920 and 12926, as amended by SB 1137 (Ch. 779, Statutes of 2024), provide that prohibited discrimination includes discrimination not just because of one protected class under state law, but also because of the combination of two or more protected bases.

Education Code 260 and 5 CCR 4900-4965 also require the Governing Board to monitor district compliance with these state and federal laws. The federal laws are enforced by the U.S. Department of Education's Office for Civil Rights (OCR) of the U.S. Department of Education (USD OE), and the California Department of Education (CDE) may investigate complaints regarding discrimination pursuant to 5 CCR 4600-4670.

OCR's May 2024 Dear Colleague Letter, "Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics," which expands and clarifies USDOE's 2023, "Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools," provides that Title VI's protections from race, color, and national origin discrimination extends to students who experience discrimination based on actual or perceived (1) shared ancestry or ethnic characteristics, or (2) citizenship or residency in a country with a dominant religion or distinct religious identity. While Title VI does not protect individuals based solely on religious discrimination, it does apply to antisemitism and other forms of discrimination when based on shared ancestry or ethnic characteristics. The guidance includes clarifying examples regarding existing legal requirements under Title VI.

Additionally, OCR's November 2023 Dear Colleague Letter, "Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics," states that all students, including students who are or are perceived to be Jewish, Israeli, Muslim, Arab, or Palestinian, as well as students who come from, or are perceived to come from, all regions of the world, are entitled to a school environment free from discrimination based on race, color, or national origin. The Dear Colleague Letter provides that Title VI also protects students from discrimination which is based on (1) actual or perceived citizenship or residency in a country with a dominant religion or distinct religious identity, including Jewish, Muslim, Sikh, Hindu, Christian, and Buddhist students, when the

discrimination involves racial, ethnic, or ancestral slurs or stereotypes, (2) a student's skin color, physical features, or style of dress that reflects both ethnic and religious traditions, and (3) where a student came from or is perceived to have come from. Discrimination based on a student's foreign accent, foreign name, or a student speaking a foreign language may also violate Title VI's prohibitions against discrimination.

OCR's August 2023 Dear Colleague Letter, "Race and School Programming," states that a district may not separate students based on race, but may include group discussions or activities that focus on race as part of the curriculum, courses, or programs so long as access or participation is not permitted or limited based on race. OCR's guidance also provides that a school-sponsored program with emphasis on race, such as a student club, that is open to all students, typically would not violate Title VI solely because of its race-related theme.

Additionally, OCR's May 2023 Dear Colleague Letter, "Resource on Confronting Racial Discrimination in Student Discipline," published in conjunction with the U.S. Department of Justice (DOJ), states that a district's responsibility not to discriminate against students applies to any of its programs or activities, whether directly or through contractual or other arrangements.

In addition to the prohibitions to discrimination described above, Government Code 12940 provides protections for employees, job applicants, unpaid interns, and volunteers against unlawful discrimination and harassment on the basis of actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, reproductive health decisionmaking, pregnancy, physical or mental disability, medical condition, genetic information, veteran or military status, sex, sexual orientation, gender, gender identity, or gender expression.

For policy language regarding Title IX complaint procedures for employees, see AR 4119.12/4219.12/4319.12 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for language addressing protections against discrimination as they relate to employees, unpaid interns, and job applicants, see BP 4030 – Nondiscrimination in Employment and BP 4119.11/4219.11/4319.11 – Sex Discrimination and Sex-Based Harassment, and as they relate to volunteers, see BP 1240 – Volunteer Assistance.

Title IX of the Education Amendments of 1972 (20 USC 1681-1688) prohibits discrimination based on sex in district programs and activities. Although the Title IX regulations were amended by 89 Fed.Reg. 33474, effective August 1, 2024, these amendments were vacated nationwide by the United States District Court in *Tennessee v. Cardona* on January 9, 2025. Following this decision, OCR's February 4, 2025 Dear Colleague Letter clarified that OCR will enforce Title IX based on the regulations as they existed prior to August 1, 2024. Therefore, references in this Board policy to Title IX and its implementing regulations are to the Title IX regulations as they existed prior to August 1, 2024.

The Governing Board is committed to providing equal opportunity for all individuals in district programs and activities.

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. (Education Code 234.1)

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; pregnancy; childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status; reproductive health decisionmaking; physical or mental disability; medical condition; sex; sex stereotypes; sex characteristics; 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.

District programs, activities, and practices shall be free from unlawful discrimination against an individual or group based on one, or a combination of two or more, protected characteristics, which include, but may not be limited to, race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; religious creed; age; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; reproductive health decision-making; breastfeeding or related medical conditions; parental, marital, and family status; and veteran or military status; 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. (Education Code 200, 210.1, 210.2, 212, 212.1, 220, 221.51, 230, 260; Government Code 11135, 12920, 12926, 12940; 20 USC 1681-1688, 29 USC 621, 42 USC 2000d-2000d-7, 2000e-2)

CSBA NOTE: Education Code 234.7 mandates that districts adopt policy consistent with the California Attorney General's model policy contained in the Office of the Attorney General's 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." That model policy includes statements regarding the equitable provision of services and a prohibition against the use of school resources or data for creating a registry based on specific characteristics. In addition, Government Code 8310.3 prohibits districts from disclosing information about immigration status or religion to federal government authorities for use in the compilation of a registry for immigration enforcement or otherwise assisting in the creation of such a registry. For more information regarding this mandate and appropriate responses to citizenship and immigration concerns, see BP/AR 5145.13 - Response to Immigration Enforcement.

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 any of the categories identified above.

CSBA NOTE: Education Code 243, as added by AB 1078, clarifies when it is unlawful discrimination for the Board to (1) refuse to approve the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, or (2) prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library. The Board may not refuse to approve such use on the basis that the material includes a study of the role and contributions of specified individuals or groups, unless the study of the role and contributions reflects adversely upon legally protected groups. Additionally, the Board may not prohibit such use on the basis that the study of the role and contributions contain inclusive or diverse perspectives. Any Board action to ban or censor a textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction on any of the bases described above may constitute unlawful discrimination under Education Code 220. In addition, pursuant to Education Code 244, as added by SB 153 (Ch. 38, Statutes of 2024), the Board is prohibited from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination pursuant to Education Code 220.

Education Code 242, as added by AB 1078, requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum.

For more information regarding instructional materials adoption see BP/AR/E(1) 6161.1 – Selection and Evaluation of Instructional materials, CSBA's publication, "Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities," and corresponding Fact Sheet and Reference, and the California Attorney General's, "Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books."

CSBA NOTE: Pursuant to Education Code 242, CDE has developed guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, which are available on its website.

For more information regarding the prohibition of discrimination as it applies to textbooks, instructional materials, supplemental instructional materials, or other curriculum for classroom instruction, or any book or resource in a school library, see BP/AR/E(1) 6161.1 – Selection and Evaluation of Instructional materials, BP 6161.11 – Supplementary Instructional Materials, and BP 6163.1 – Library Media Centers. Also see CSBA's publication, "Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities," and corresponding Fact Sheet and Reference, and the California Attorney General's, "Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books."

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)

Additionally, 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 adopted by the Board or district if the use would subject a student to unlawful discrimination as specified in Education Code 220. (Education Code 244)

~~CSBA NOTE: Education Code 221.2-221.3, the California Racial Mascot Act, declare the use of racially derogatory or discriminatory school or athletic team names, mascots, or nicknames to be contrary to an equal education and specifically prohibit public schools from using the term "Redskins" as a school or athletic team name, mascot, or nickname. The following paragraph expands this prohibition to include any racially derogatory or discriminatory athletic team name, mascot, or nickname and may be revised to reflect district practice.~~

CSBA NOTE: Education Code 221.2-221.3, the California Racial Mascot Act, declare the use of racially derogatory or discriminatory school or athletic team names, mascots, or nicknames in public schools to be contrary to providing an equal education. Specifically, Education Code 221.3, as amended by AB 3074 (Ch. 665, Statutes of 2024), prohibits public schools, except public schools operated by an Indian tribe or a tribal organization, from using the term "Redskins" as a school or athletic team name, mascot, or nickname. Beginning July 1, 2026, Education Code 221.3, as amended by AB 3074, prohibits public schools, other than those operated by an Indian tribe or a tribal organization, from using any derogatory Native American term for school or athletic team names, mascots, or nicknames without the written consent of a local federally recognized Indian tribe. Education Code 33315, as amended by AB 3074, requires that the uniform complaint procedures (UCP) be used to investigate and resolve complaints alleging a violation of Education Code 221.3. See BP/AR 1312.3 – Uniform Complaint Procedures.

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

CSBA NOTE: Pursuant to Education Code 221.5, a district is required to permit a student to participate in sex-segregated school programs and activities, including athletic teams and competitions, and to use facilities consistent with the student's gender identity, regardless of the student's gender as listed on the student's educational records.

Additionally, Title IX, 34 CFR 106.31, as amended by 89 Fed. Reg. 33474, provides that a district (1) may not exclude a student from participation in, deny a student the benefits of, or otherwise subject a student to discrimination on the basis of sex in any education program or activity; (2) that in the limited circumstances in which different treatment or separation on the basis of sex is permitted, a district may not carry out such different treatment or separation in a manner that discriminates on the basis of sex by subjecting a student to more than de minimis harm; and (3) that preventing a student from participating in an education program or activity consistent with the student's gender identity would subject the student to more than de minimis harm on the basis of sex. In commentary accompanying the Final Rule, USDOE clarifies that Title IX protects students

from sex discrimination, including sex-based harassment, when they access sex-separate facilities. This protection applies with equal force to all students, including transgender and nonbinary students, requiring districts to provide access to sex-separate facilities, including bathrooms, in a manner that does not cause more than de minimis harm. USDOE intends to issue a separate final rule to address Title IX's application to sex-separate athletic teams which is governed by 34 CFR 106.41, rather than 34 CFR 106.31 as described above. See BP/AR 5145.7 - Sex-Discrimination and Sex-Based Harassment.

For further information, see CSBA's, "Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools," and CSBA's Recently Asked Questions, "Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students."

Derogatory Native American terms, including Apaches, Big Reds, Braves, Chiefs, Chieftains, Chippewa, Comanches, Indians, Redskins, Savages, Squaw, and Tribe, shall not be used for any school or athletic team name, mascot, or nickname, unless permitted in accordance with Education Code 221.3.

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.

~~CSBA NOTE: Complaints alleging discrimination based on a violation of Education Code 243, as added by AB 1078, or Education Code 244, as added by SB 153, related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, as described above, may be brought under the district's uniform complaint procedures (UCP) or may be filed directly with the Superintendent of Public Instruction (SPI). Complaints that are filed directly with the SPI are required to identify the basis for doing so, and present evidence that supports the basis for the direct filing. In such cases, the SPI may directly intervene without waiting for an investigation by the district. See BP/AR 1312.3 – Uniform Complaint Procedures.~~

~~Pursuant to 34 CFR 106.11 and 106.44, as amended by 89 Fed. Reg. 33474, a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, is required to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct. As such a complaint may also fall within the complaint process as specified in BP/AR 1312.3 – Uniform Complaint Procedures, for students, and AR 4030 – Nondiscrimination in Employment, for employees, it is unclear whether districts would additionally be required to follow the procedures specified in BP/AR 1312.3 – Uniform Complaint Procedures or AR 4030 – Nondiscrimination in Employment, as applicable. Due to this uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel prior to utilizing such a complaint process for this purpose. For more information regarding the Title IX grievance procedures, see AR 5145.71 – Title IX Sex~~

~~Discrimination and Sex-Based Harassment Complaint Procedures, for students, and AR 4119.12/4219.12/4319.12 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for employees.~~

CSBA NOTE: Complaints alleging discrimination based on a violation of Education Code 243, or 244, as added by SB 153 (Ch. 38, Statutes of 2024), related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, may be brought under the district's UCP or may be filed directly with the Superintendent of Public Instruction (SPI). Complaints that are filed directly with the SPI are required to identify the basis for doing so, and present evidence that supports the basis for the direct filing. In such cases, the SPI may directly intervene without waiting for an investigation by the district. See BP/AR 1312.3 - Uniform Complaint Procedures.

~~Except for allegations of sex discrimination or sex-based harassment, allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with Board Policy and Administrative Regulation 1312.3 – Uniform Complaint Procedures, for students, and Administrative Regulation 4030 – Nondiscrimination in Employment, for employees. Complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved in accordance with 34 CFR 106.44 and 106.45 and as specified in Administrative Regulation 5145.71 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for students, and Administrative Regulation 4119.12/4219.12/4319.12 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for employees.~~

All complaints alleging unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures, for students, and Administrative Regulation 4030 – Nondiscrimination in Employment, for employees.

~~CSBA NOTE: Many nondiscrimination laws and regulations contain a notification requirement. For example, pursuant to 34 CFR 104.8 and 106.8, a district that receives federal aid is required to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate on the basis of disability or sex in its education programs or activities. In addition, Education Code 221.61 requires districts to post specified information relating to Title IX on their websites. To ensure consistent implementation of the laws, the same notification requirement should be adopted for all the protected categories as provided in the following paragraph.~~

Pursuant to 34 CFR 104.8 and 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 in accordance with Board Policy/Exhibit(1) 5145.6 - Parent/Guardian Notifications 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.

CSBA NOTE: Education Code 234.7 requires the following notification. Information about the educational rights of all students is contained in the appendix of the Office of the Attorney General's 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."

CSBA NOTE: Pursuant to Education Code 234.7, a district is required to notify parents/guardians of their children's right to a free public education regardless of immigration status. The Attorney General's, "Promoting a Safe and Secure Learning Environment: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues," updated in December 2024, provides additional detail on this topic, which includes one appendix titled, "Know Your Educational Rights." Such notice may be included in the annual parental notification provided pursuant to Education Code 48980 or through any other cost-effective means. See BP/AR 5145.13 – Response to Immigration Enforcement and BP/E(1) 5145.6 - Parent/Guardian Notifications.

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

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

CSBA NOTE: Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in English or the primary language. ~~In addition~~ **Additionally**, 20 USC 6311 and 6312 require that districts receiving Title I funds provide parent/guardian notices in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians understand.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. ~~In addition~~ **Additionally**, 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

CSBA NOTE: Pursuant to the ADA and its implementing regulations, 28 CFR 35.150 and 35.151, district facilities must be accessible to and usable by individuals with disabilities. Compliance methods may include equipment redesign, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, and alteration of existing facilities and construction of new facilities. In achieving compliance, a district need not make structural changes to existing facilities if other methods are effective and the district can demonstrate that the structural change would result in a fundamental alteration in the nature of the activity or an undue financial or administrative burden. However, pursuant to 28 CFR

35.151, all newly constructed facilities must comply with the 2010 ADA Standards for Accessible Designs issued by the DOJ.

In addition, pursuant to 28 CFR 35.136, a district must permit an individual with a disability to be accompanied by a service animal on district premises when, without the animal's assistance, the individual with a disability will not be able to access or participate in a district program or activity. For language addressing this mandate, see AR 6163.2 – Animals at School. Districts with questions about compliance with the ADA should consult CSBA's District and County Office of Education Legal Services or district legal counsel as appropriate.

CSBA NOTE: Pursuant to the Americans with Disabilities Act (ADA) and its implementing regulations, district facilities must be accessible to and usable by individuals with disabilities. Compliance methods may include equipment redesign, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, and alteration of existing facilities and construction of new facilities. In achieving compliance, a district need not make structural changes to existing facilities if other methods are effective, the district can demonstrate that the structural change would result in a fundamental alteration in the nature of the activity, or the district can demonstrate an undue financial or administrative burden. However, pursuant to 28 CFR 35.151, all newly constructed facilities must comply with the 2010 ADA Standards for Accessible Designs issued by the U.S. Department of Justice (DOJ).

Additionally, pursuant to 28 CFR 35.136, a district is required to permit an individual with a disability to be accompanied by a service animal on district premises when, without the animal's assistance, the individual with a disability will not be able to access or participate in a district program or activity. For language addressing this mandate, see AR 6163.2 - Animals at School. It is recommended that districts with questions about compliance with the ADA consult CSBA's District and County Office of Education Legal Services or district legal counsel as appropriate.

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.

CSBA NOTE: Pursuant to 28 CFR 35.130 and 35.160, the ADA requires districts to provide services and aids to ensure that a disabled individual is not excluded from participation or denied a benefit, service, or program on the basis of a disability. However, if the district can show that providing such aids and services would fundamentally alter the nature of the function, program, or meeting or would be an undue burden, then the district need not provide them.

The requirement to provide services and aids extends to qualified individuals with speech, hearing, or vision disabilities who participate in Medi-Cal, and, in accordance with the Department of Health Care Services Policy and Procedure Letters No. 21-017R and No. 23-004, districts are required to have a plan to meet these alternative format requirements; see AR 5141.6 – School Health Services.

In addition, Government Code 54953.2 requires that all Board meetings meet the protections of the

ADA and implementing regulations (28 CFR 35.160 and 36.303). The district must ensure that such meetings are accessible to persons with disabilities and that, upon the request of any person with a disability, disability-related accommodations, such as auxiliary aids and services, are made available. Additionally, Government Code 54953 requires boards to maintain and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the ADA, and to resolve any doubt in favor of accessibility. See BB 9320 – Meetings and Notices and BB 9322 – Agenda/Meeting Materials.

OCR has interpreted the ADA and Section 504 of the Rehabilitation Act of 1973 to include the requirement that district websites be accessible to individuals with disabilities. In April 2024, the DOJ published updated regulations which include specific technical standards to ensure that content available through a district's web and mobile applications are accessible to individuals with disabilities by April 26, 2027. For more information on website accessibility, see OCR's June 2010 and May 2011 Dear Colleague Letters, DOJ's April 2024, "Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments," and BP 1113 – District and School Websites.

CSBA NOTE: Pursuant to 28 CFR 35.130 and 35.160, the ADA requires districts to provide services and aids to ensure that an individual with a disability is not excluded from participation or denied a benefit, service, or program on the basis of that disability. However, if the district can show that providing such aids and services would fundamentally alter the nature of the function, program, or meeting, or would be an undue burden, then the district need not provide them.

Additionally, Government Code 54953.2 requires that all Board meetings meet the protections of the ADA and implementing regulations (28 CFR 35.160 and 36.303). The district is required to ensure that such meetings are accessible to persons with disabilities and that disability-related accommodations, such as auxiliary aids and services, are made available upon the request of any individual with a disability. In addition, Government Code 54953 requires Boards to maintain and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the ADA, and to resolve any doubt in favor of accessibility. See BB 9320 - Meetings and Notices and BB 9322 - Agenda/Meeting Materials.

OCR has interpreted the ADA and Section 504 of the Rehabilitation Act of 1973 to include the requirement that district websites be accessible to individuals with disabilities. In April 2024, the DOJ updated its regulations to include specific technical standards to ensure that content available through a district's web and mobile applications are accessible to individuals with disabilities by April 26, 2027. For more information on website accessibility, see OCR's June 2010 and May 2011 Dear Colleague Letters, and BP 1113 - District and School Websites.

The Superintendent or designee shall ensure that the district's ~~district's~~ web and mobile applications comply with technical standards prescribed by law, and as necessary, shall provide appropriate auxiliary aids and services to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of district services, programs, or activities. 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, notetakers, 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.

CSBA NOTE: Pursuant to 28 CFR 35.107, a district that has 50 or more employees is required to designate at least one employee to coordinate the district's efforts to comply with the ADA. The designated employee could be the same individual or position responsible for the district's compliance with state and federal laws and regulations governing educational programs as identified in the district's UCP procedures. The following paragraph, which identifies the person or position identified in AR 1312.3 – Uniform Complaint Procedures as the responsible employee, may be modified if the district chooses to designate another person or position.

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.

(title or position)

(address)

(telephone number)

(email)

Policy Reference UPDATE Service
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Policy Reference Disclaimer:
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the **Governing Boardboard** to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-270262.4	Prohibition of discrimination
<u>Ed. Code 33315</u>	<u>Uniform complaint procedures</u>
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 21 st 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
<u>29 USC 621</u>	<u>Age discrimination in employment</u>
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

[Court Decision](#)

[Tennessee v. Cardona \(2024\) 737 F.Supp.3d 510](#)

[Court Decision](#)

[Students for Fair Admissions v. Harvard \(2024\) 600 U.S. 181](#)

[Court Decision](#)

[John T. D. v. River Delta Joint Unified School District \(2021\) WL 5176356](#)

[Court Decision](#)

[Olmstead v. L.C. ex rel. Zimring \(1999\) 527 U.S. 581](#)

[Court Decision](#)

[Burlington Northern and Santa Fe Ry. Co. v. White \(2006\) 548 U.S. 53](#)

[Court Decision](#)

[McDonnell Douglas Corp v. Green \(1973\) 411 U.S. 792](#)

CA Civil Rights Department Publication

California Law Prohibits Workplace Discrimination and Harassment; **January 2024** (https://calcivilrights.ca.gov/wp-content/uploads/sites/32/2023/01/Workplace-Discrimination-Poster_ENG.pdf)

CA Department of Health Care Services Publication

Policy and Procedures Letter No. 21-017R, December 2021 (<https://www.dhcs.ca.gov/formsandpubs/Documents/PPL-21-017R-Alternative-Format-Request-Requirements.pdf>)

CA Department of Health Care Services Publication

Policy and Procedures Letter No. 23-004, February 2023 (<https://www.dhcs.ca.gov/formsandpubs/Documents/MMCD/APLsandPolicyLetters/APL2023/APL23-004.pdf>)

CA Office of the Attorney General Publication

Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024 (<https://oag.ca.gov/system/files/attachments/press-docs/Legal%20Alert%20Re%20Inclusive%20Curricula.1.9.24.1157CLEAN.pdf>)

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](#)
[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, December 2024](#)
(<https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>)

CSBA Publication

Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024
(<https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/2024-REPD-IM->

	StateRoles.ashx?la=en&rev=f00baf9bd1af4844b94f99135ca65588)
CSBA Publication	Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024 https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/2024-REPD- IM-LocalRoles.ashx?la=en&rev=94453dc92df043379995b07589a4d558)
CSBA Publication	Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024 https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/2024-REPD-instructional-materials-brief.ashx?la=en&rev=9880900e6d334c81a7f64d637e40dc56)
CSBA Publication	Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023
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Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896 Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, May 19, 2020, Vol. 85, No. 97, pages 30026-30579 https://www.federalregister.gov/documents/2020/05/19/2020-10512/nondiscrimination-on-the-basis-of-sex-in-education-programs-or-activities-receiving-federal)
U.S. Department of Education Publication	Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023 https://www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html)
U.S. DOE & U.S. DOJ, Office for Civil Rights Divisions Publication	Resource on Confronting Racial Discrimination in Student Discipline, May 2023 Frequently Asked Questions About Racial Preferences and Stereotypes Under Title VI of the Civil Rights Act, February 28, 2025

U.S. DOE, Office for Civil Rights
Publication

<https://www.ed.gov/media/document/frequently-asked-questions-about-racial-preferences-and-stereotypes-under-title-vi-of-civil-rights-act-109530.pdf>

Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics, May 2024
Dear Colleague Letter: Title VI of the Civil Rights Act in Light of Students For Fair Admissions v. Harvard, February 14, 2025

<https://www.ed.gov/media/document/dear-colleague-letter-sffa-v-harvard-109506.pdf>

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Publication

Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023
Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025

<https://www.ed.gov/media/document/title-ix-enforcement-directive-dcl-109477.pdf>

U.S. DOE, Office for Civil Rights
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Supporting Transgender Youth in School, June 2021
Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics, May 2024

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Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011

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<https://www.ed.gov/laws-and-policy/civil-rights-laws/nondiscrimination-in-employment-practices-in-education>

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Dear Colleague Letter: Race and School Programming, August 2023
Dear Colleague Letter: Electronic Book Readers, June

	29, 2010 (https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-20100629.pdf)
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Electronic Book Readers, June 29, 2010
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World Wide Web Consortium Publication Web Content Accessibility Guidelines, September 2023 (https://www.w3.org/TR/WCAG21/)	
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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

Cross References

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Policy 0420.4: Charter School Authorization

Status: ADOPTED

Original Adopted Date: 05/01/2019 | Last Revised Date: 03~~06~~/01/2023~~2023~~2025 | Last Reviewed
Date: 03~~06~~/01/2023~~2023~~2025

CSBA NOTE: The following optional policy may be revised to reflect district practice. Education Code 47600-47616.7 ~~authorize~~authorizes the establishment of public charter schools, which are generally exempt from the Education Code unless otherwise specified in law. To establish a charter school within the district, petitioners ~~must~~are required to submit to the Governing Board for approval a petition which includes all components required by law as described in the accompanying administrative regulation. The following policy reflects the criteria and procedures required by Education Code 47605.

Under certain circumstances, charter petitions may also be approved by other governmental entities. For example, Education Code 47605.5-47605.6 require petitioners to submit a petition directly to the County Board of Education when (1) the charter school will serve students for whom the county office of education would otherwise be responsible for providing direct education and related services or (2) the countywide program will provide educational services to a student population that cannot be served as well by a charter school operating in only one district in the county.

Pursuant to Education Code 47606, a district may petition the Superintendent of Public Instruction and the State Board of Education (SBE) to convert all its schools to charter schools, provided that 50 percent of the district's teachers sign the petition, the petition contains all specified components, and arrangements are made for alternative attendance of students residing within the district who choose not to attend a charter school.

For further information regarding the submission and review of charter school petitions, see CSBA's, "Charter Schools: A Guide for Governance Teams." CSBA's District and County Office of Education Legal Services attorneys can also assist with petition reviews for districts that subscribe to that service.

The Governing Board recognizes that charter schools may assist the district in offering diverse learning opportunities for students. In considering any petition to establish a charter school within the district, the Board shall give thoughtful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

CSBA NOTE: Education Code 47605 allows for Board approval of a start-up charter school or the conversion of an existing public school into a charter school, provided that the charter school adopts and maintains a policy giving admission preference to students who reside within the

former attendance area of that public school. The signature requirement differs for each type of charter school; see the accompanying administrative regulation.

One or more persons may submit a petition to the Board for a charter school to be established within the district or for the conversion of an existing district school to a charter school. (Education Code 47605)

Any petition for a charter school shall include all components, signatures, and statements required by law, as specified in the accompanying administrative regulation. The proposed charter shall be attached to the petition. (Education Code 47605)

The Superintendent or designee shall consult with legal counsel, as appropriate, regarding compliance of the charter petition with legal requirements.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, the Superintendent or designee may also meet with the petitioners to establish workable plans for contracted services, which the district may provide to the proposed charter school.

The Board shall not require any district student to attend the charter school, nor shall it require any district employee to work at the charter school. (Education Code 47605)

Timelines for Board Action

CSBA NOTE: Pursuant to Education Code 47605, the Board is required to hold a public hearing within 60 days of receiving a charter petition to determine the level of support for the petition, and to hold a public hearing within 90 days to take final action on the petition. Education Code 47605 also requires the district to publish, at least 15 days prior to the public hearing at which the Board will grant or deny the petition, staff recommendations regarding the petition and, if applicable, the certification from the County Superintendent of Schools regarding the potential fiscal impact of the charter school on the district.

To provide adequate opportunity for public input and thoughtful consideration of the charter petition, it is recommended that the Board conduct two public hearings -- one hearing to determine the level of support for the petition and, following the publication of staff recommendations, a second hearing to grant or deny the petition. However, the law does not explicitly require two hearings, and it may be possible to hold one public hearing to both determine the level of support for the petition and grant or deny the petition, provided that staff recommendations are published 15 days prior to the hearing, the hearing is held within 60 days of receipt of the petition, and the petitioners have equal time and opportunity to present evidence and testimony. It is recommended that CSBA's District and County Office of Education Legal Services or district legal counsel ~~should~~ be consulted as needed to ensure that all requirements are met.

Within 60 days of receiving a charter petition, the Board shall hold a public hearing on the charter provisions, at which time the Board shall consider the level of support for the petition by district teachers, other district employees, and parents/guardians. A petition is deemed received on the day

the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)

The Board shall either grant or deny the petition at a public hearing held within 90 days of receiving the petition, or within 120 days with the consent of both the petitioner and the Board. (Education Code 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter, the district shall publish all staff recommendations regarding the petition, including any recommended findings and, if applicable, certification from the County Superintendent of Schools regarding the potential fiscal impact of the charter school on the district. During the public hearing, the petitioners shall have equal time and opportunity to present evidence and testimony in response to the staff recommendations and findings. (Education Code 47605)

CSBA NOTE: The following paragraph is optional and may be revised to reflect district practice. Pursuant to Education Code 47605 requires that, in the event that a petition is denied and the matter is appealed, the Board ~~must~~ **is required to** provide a documentary record to the petitioner, including a transcript of the public hearing at which the Board denied the hearing. See ~~section on~~ "Appeals" below. Thus, it may be useful to have a transcription of the hearing(s) in the event that the petitioners later appeal the decision of the Board.

The Superintendent or designee shall maintain accurate records, in relation to each charter petition, of documents submitted, the Board's proceedings, and the findings upon which the Board's decision is made.

Approval of Petition

CSBA NOTE: Education Code 47605 requires the Board to give preference to charter petitions that demonstrate the capability to provide comprehensive learning experiences to students identified by the petitioner as academically low achieving based on the standards established by the California Department of Education (CDE) pursuant to Education Code 54032, as that section read before July 19, 2006. Prior to its repeal on that date, Education Code 54032 required CDE to develop standards to identify students as academically low achieving for purposes of allocating Economic Impact Aid funds to school sites. However, the Economic Impact Aid program is no longer funded or administered by CDE.

Pursuant to Education Code 47605, the Board ~~must~~ **is required to** also consider the interests of the community in which the school is proposing to locate.

A charter petition shall be granted only if the Board is satisfied that doing so is consistent with sound educational practice and the interests of the community in which the school is proposing to locate. In granting charters, the Board shall consider the academic needs of the students the charter school proposes to serve and shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences for students who are identified by the petitioner as academically low-achieving, based on standards established by California Department of Education (CDE). (Education Code 47605)

CSBA NOTE: Pursuant to Education Code 47604.1, charter schools are subject to the Brown Act (Government Code 54950-54963), California Public Records Act (Government Code 7920.000 - 7930.215), conflict of interest laws (Government Code 1090-1099), and the Political Reform Act (Government Code 81000-91014).

Prior to authorizing any charter, the Board shall verify that the charter includes adequate processes and measures for monitoring and holding the school accountable for fulfilling the terms of its charter and complying with all applicable laws, including Education Code 47604.1. Such processes and measures shall include, but are not limited to, fiscal accountability systems, multiple measures for evaluating the educational program, inspection and observations of any part of the charter school, and regular reports to the Board.

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. Although not required by law, CSBA's, "Charter Schools: A Guide for Governance Teams," recommends one or more memoranda of understanding (MOUs) to address matters that are related to the charter petition but are not included in the petition, and to establish expectations for which the charter school can be held accountable. CSBA's manual provides examples of issues that might be addressed in an MOU, including business operations, facilities, administrative and support services, special education, student assessment, and athletics. See CDE's [web site](#) [website](#) for sample MOUs.

The Board may approve one or more memoranda of understanding ([MOU](#)) to clarify the financial and operational agreements between the district and the charter school. Any such ~~memorandum of understanding~~ [MOU](#) shall be annually reviewed by the Board and charter school governing body and amended as necessary.

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)

When a petition is approved by the Board, it shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the petition to the County Superintendent of Schools, CDE, and the State Board of Education (SBE). (Education Code 47605)

Denial of Petition

The Board shall summarily deny any charter petition that proposes to:

1. Operate a charter school as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
2. Convert a private school to a charter school (Education Code 47602)

CSBA NOTE: Pursuant to Education Code 47605, the Board may approve a charter school serving students in a grade level not offered by the district only when the charter school will also serve all the grade levels offered by the district. Thus, an elementary district's board cannot approve a charter for a high school, but may approve a charter for a K-12 school since the charter school will serve all grade levels served by the elementary school district.

3. Serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district (Education Code 47605)

CSBA NOTE: Pursuant to Education Code 47612.7, until January 1, ~~2025~~2026, the Board is prohibited from approving a petition for the establishment of a new charter school offering nonclassroom-based instruction. A charter school approved before October 1, 2019, which had started providing educational services as of that date may continue to offer nonclassroom-based instruction under the circumstances specified in Education Code 47612.7.

4. Offer nonclassroom-based instruction (Education Code 47612.7)

CSBA NOTE: Pursuant to Education Code 47605, a charter petition ~~can~~may be denied only if certain factual findings are made. 5 CCR 11967.5.1 contains criteria for SBE's review of charter petitions, which may be useful to the district in determining how it might evaluate whether a petition meets the conditions specified below.

Regarding all other charter petitions, the Board shall deny a petition only if the Board makes written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605; 5 CCR 11967.5.1)

1. The charter school presents an unsound educational program that has a likelihood of physical, educational, or psychological harm to, or which is not likely to provide an educational benefit for, the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.
4. The petition does not contain a clear, unequivocal statement described in Education Code 47605(e), including that the charter school will be nonsectarian and that the school shall not charge tuition or discriminate against any student based on the characteristics specified in Education Code 220.
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(c).
6. The petition does not contain a declaration as to whether the charter school shall be deemed the exclusive public employer of the school's employees for purposes of collective

bargaining pursuant to Government Code 3540-3549.3.

7. The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate:

Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding shall detail specific facts and circumstances that analyze and consider the following factors:

- a. The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings
- b. Whether the proposed charter school would duplicate a program currently offered within the district, when the existing program has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate

CSBA NOTE: Pursuant to Education Code 47605, a district under state receivership is not in a position to absorb the fiscal impact of a proposed charter school.

8. The district is not positioned to absorb the fiscal impact of the proposed charter school:

The district meets this criterion if it has a negative interim certification, has a qualified interim certification and the County Superintendent certifies that approving the charter school would result in the district having a negative interim certification, or is under state receivership.

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll students with disabilities who reside outside the special education local plan area in which the district participates. (Education Code 47605.7, 47647)

Appeals

CSBA NOTE: Pursuant to Education Code 47605, if the Board denies a charter petition, the petitioner may, within 30 days of the denial, submit the petition to the County Board. If the County Board denies a petition on appeal, the petitioner may, within 30 days of the denial by the County Board, appeal to SBE.

If the Board denies a petition, the petitioner may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to SBE. (Education Code 47605)

At the request of the petitioner, the Board shall prepare the documentary record, including a transcript of the public hearing at which the Board denied the charter, no later than 10 business days after the petitioner makes the request. (Education Code 47605)

CSBA NOTE: CSBA's Pursuant to Education Legal Alliance and the Napa Valley Unified School District each have litigation pending against Code 47605, SBE and the exercise of its authority to may only reverse the denial of a charter school petition deciding upon a determination that a board abused its there was an abuse of discretion in denying by each of the board of the district and the county board. Abuse of discretion is the most deferential standard of review, under which SBE must give deference to the decisions of the board of the school district and the county board to deny the petition.

In Napa Valley Unified School District v. State Board of Education, the district and the county Board denied a charter school petition on the basis that it was unlikely to serve the interests of the entire community and that it would have a negative fiscal impact on existing district services. The proponents of the charter school appealed to SBE, however, the California Appellate Court held that SBE could not overturn the denial. The proponents of the charter school had petitioned the California Supreme Court for review. Due to the legal uncertainty in this area, it is recommended that the Board should consult CSBA's District and County Office of Education Legal Services or district legal counsel when a petition the Board has denied is on appeal to SBE.

Within 30 days of receipt of an appeal submitted to SBE, the Board may submit a written opposition to SBE, which may include supporting documentation, detailing, with specific citations to the documentary record, how the Board did not abuse its discretion in denying the petition. (Education Code 47605)

If either the County Board or SBE remands the petition to the Board because the petition on appeal contains new or different material terms, the Board shall reconsider the petition and shall grant or deny the petition within 30 days. (Education Code 47605)

Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to petitions for the authorization of charter schools as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

The Board shall determine whether a proposed change in charter school operations would constitute a material revision of the approved charter.

If an approved charter school proposes to expand operations to one or more additional sites or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations or grade levels at an open, public meeting. (Education Code 47605, 47607)

The Board may deny a proposed material revision if it finds that the proposed material revision would render the charter school demonstrably unlikely to serve the interests of the entire

community in which the school is located or proposes to locate. In making this finding, the Board shall consider all of the following: (Education Code 47605)

1. The fiscal impact of the proposed expansion on the district
2. The extent to which the expansion would substantially undermine existing services, academic offerings, or programmatic offerings
3. Whether the expansion would duplicate a program currently offered within the district that has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate

Additionally, the Board may deny a proposed material revision if it finds that the district is not positioned to absorb the fiscal impact of the proposed material revision. The Board shall make this finding if the district has a qualified interim certification pursuant to Education Code 42131 and the County Superintendent, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the district having a negative interim certification pursuant to Education Code 42131, the district has a negative interim certification pursuant to Education Code 42131, or the district is under state receivership. (Education Code 47605)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

State	Description
5 CCR 11960-11969.10	Charter schools
Corp. Code 5110-6910	Nonprofit public benefit corporations
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17078.52-17078.66	Charter schools facility funding; state bond proceeds
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17365-17374	Field Act; fitness for occupancy; liability of board members
Ed. Code 200	Equal rights and opportunities in state educational institutions
Ed. Code 220	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans

Ed. Code 33126	School accountability report card
Ed. Code 41365	Charter school revolving loan fund
Ed. Code 42131	Interim certification
Ed. Code 42238.02-42238.52	Funding for charter districts
Ed. Code 44237	Criminal record summary
Ed. Code 44830.1	Certificated employees; conviction of a violent or serious felony
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 46201	Instructional minutes
Ed. Code 47600-47616.7	Charter Schools Act of 1992
Ed. Code 47640-47647	Special education funding for charter schools
Ed. Code 47650-47655	Funding of charter schools
<u>Ed. Code 48900</u>	<u>Suspension or expulsion; use of controlled substances</u>
Ed. Code 49011	Student fees; definition
Ed. Code 51744-51749.6	Independent study
Ed. Code 51745	Independent study
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 56026	Special education
Ed. Code 56145-56146	Special education services in charter schools
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 81000-91014	Political Reform Act
W&I Code 224.1	Indian child; definition
Federal	Description
<u>20 USC 1400-1482</u>	<u>Individuals with Disabilities Education Act</u>
20 USC 7221-7221j	Charter schools
<u>29 USC 794</u>	<u>Rehabilitation Act of 1973; Section 504</u>

[42 USC 12101-12213](#)

Management Resources

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

California Charter Authorizing
Professionals Pub.

Court Decision

Court Decision

Court Decision

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

U.S. Department of Education
Publication

[Americans with Disabilities Act](#)

Description

101 Ops.Cal.Atty.Gen. 92 (2018)

78 Ops.Cal.Atty.Gen. 297 (1995)

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Memorandum of Understanding (MOU) Resource, September
2022

[\(https://calauthorizers.org/resource/memorandum-of-understanding-mou-resource-samples-and-cross-reference/\)](https://calauthorizers.org/resource/memorandum-of-understanding-mou-resource-samples-and-cross-reference/)

Napa [Valley](#) Unified School District v. California State Board
of Education, Case No. ~~34-2022-80004051~~C099068

CSBA'S Education Legal Alliance v. California State Board of
Education, Case No. 34-2018-80002834

Ridgecrest Charter School v. Sierra Sands Unified School
District (2005) 130 Cal.App.4th 986

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Publication

Dear Colleague Letter: Guidance Regarding the Oversight of
Charter Schools Program and Regulatory Requirements,
August 2016

Website

CSBA District and County Office of Education Legal Services

Website

National Association of Charter School Authorizers

Website

California Charter Schools Association

Website

California Department of Education, Charter Schools

Website

CSBA

Website

U.S. Department of Education

Cross References

Code

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Charter School Oversight

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Regulation 0420.4: Charter School Authorization

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Date: 03/06/01/2023/2025

CSBA NOTE: The following optional administrative regulation is optional may be revised to reflect district practice.

Petition Signatures

A petition for the establishment of a start-up charter school must be signed by either of the following: (Education Code 47605)

1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the school for its first year of operation
2. A number of teachers equivalent to at least one-half of the total number of teachers that the charter school estimates will be employed at the school during its first year of operation

A petition that proposes to convert an existing public school to a charter school must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

Any petition circulated to collect signatures shall include a prominent statement explaining that a parent/guardian's signature means that the parent/guardian is meaningfully interested in having a child attend the charter school, or a teacher's signature means that the teacher is meaningfully interested in teaching at the charter school. (Education Code 47605)

Staff Advisory Committee

CSBA NOTE: The following optional section may be revised to reflect district practice. CSBA's, "Charter Schools: A Guide for Governance Teams," suggests that a petition review team is one method that a district may use to obtain input on proposed charters. Such a committee might include representatives with expertise in the areas of governance, human resources, business/finance, facilities, curriculum and instruction, special education, and, as appropriate, other student populations. It is recommended that districts consult CSBA's District and County Office of Education Legal Services attorneys can also assist with or district counsel regarding petition reviews for districts that subscribe to that service.

Education Code 47605 requires the district to publish staff recommendations regarding the

petition at least 15 days prior to the hearing at which the Governing Board will grant or deny the petition; see the section "Timelines for Board Action" in the accompanying Board policy.

The Superintendent or designee may establish a staff advisory committee to evaluate the completeness of a charter petition based on the requirements in Education Code 47605 and to identify any concerns that should be addressed by the petitioners.

Components of Charter Petition

All charter petitions shall comply with the applicable requirements of Education Code 47605, other state and federal laws, and district policies.

CSBA NOTE: CSBA's, "Charter Schools: A Guide for Governance Teams," recommends specific content that would constitute a reasonably comprehensive description of each component listed in Items #1-~~17~~18 below, as well as additional content that is not required but may be requested of the petitioners (e.g., school calendar, transportation arrangements, a sample of the curriculum and instructional materials).

The charter petition shall include affirmations that the charter school will be nonsectarian in its programs, admission policies, employment practices, and operations; will not charge tuition; and will not discriminate against a student on the basis of characteristics listed in Education Code 220. The petition shall also contain reasonably comprehensive descriptions of: (Education Code 47605)

1. The educational program of the proposed school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs:

_____The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.

CSBA NOTE: Education Code 47605 requires the charter petition to include annual goals, as described in Education Code 52060, for all students and for each numerically significant subgroup of students, and specific actions to achieve those goals. Pursuant to Education Code 52052, numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, long term English learners, students with disabilities, foster youth, and homeless students experiencing homelessness, when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students experiencing homelessness) in the school.

Education Code 47605 requires that these annual goals be aligned with the eight state priorities, specified in Education Code 52060, related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-aligned instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement and family engagement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for

purposes of the local control funding formula), and students with disabilities, and (8) student outcomes in the specified course of study. See BP/AR 0460 - Local Control and Accountability Plan.

2. The charter school's annual goals for all students and for each numerically significant subgroup of students identified pursuant to Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, long term English learners, students with disabilities, foster youth, and ~~homeless~~ students: experiencing homelessness

_____ These goals shall be aligned with the state priorities listed in Education Code 52060 that apply to the grade levels served. The petition also shall describe specific annual actions to achieve those goals. The petition may identify additional priorities established for the proposed school, goals aligned with those priorities, and specific annual actions to achieve those goals.

If the proposed charter school will serve high school students, the petition shall describe the manner in which the school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "A-G" admissions criteria may be considered to meet college entrance requirements.

CSBA NOTE: Education Code 47605 requires that the petition identify student outcomes that the charter school intends to use, including those that address increases in student achievement both schoolwide and for all groups of students served by the charter school. Education Code 47607 defines "all groups of students served by the charter school" to mean all numerically significant subgroups of students, as defined in Education Code 52052, served by the charter school.

3. The measurable student outcomes identified for use by the charter school:

Student outcomes means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program, including outcomes that address increases in student academic achievement both schoolwide and for each numerically significant subgroup of students served by the charter school. The student outcomes shall align with the state priorities identified in Education Code 52060 that apply for the grade levels served by the charter school.

4. The method by which student progress in meeting the identified student outcomes is to be measured:

_____ To the extent practicable, the method for measuring student outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

CSBA NOTE: Proposed charter school facility locations are subject to additional requirements, as described in "Location of Charter School," below.

5. The location of each charter school facility the petitioner intends to operate

5. 6. The governance structure of the charter school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement.
6. 7. The qualifications to be met by individuals to be employed by the charter school.
7. 8. The procedures that the charter school will follow to ensure the health and safety of students and staff, including the following requirements:
- a. Each charter school employee shall furnish the school with a criminal record summary as described in Education Code 44237.

CSBA NOTE: Pursuant to Education Code 32282, charter schools are required to include in their comprehensive safety plans adaptations for students with disabilities in accordance with the federal Americans with Disabilities Act, the Individuals with Disabilities Education Act, and Section 504 of the federal Rehabilitation Act of 1973.

Additionally, Education Code 32282, as amended by AB 2887 (Ch. 419, Statutes of 2024), expands comprehensive school safety plan (CSSP) components to include procedures for responding to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds. Education Code 32282, as amended by AB 1858 (Ch. 530, Statutes of 2024), expands CSSP components to include procedures to prepare for active shooter or armed assailants, as well as specifications that apply if the school chooses to conduct active shooter and armed assailant drills.

- b. The charter school shall develop a school safety plan which includes the topics listed in Education Code 32282(a)(2)(A)-(J)~~(N)~~
- c. The charter school's safety plan shall be reviewed and updated by March 1 each year.
8. 9. The means by which the charter school will achieve a balance of racial and ethnic students, special education students, and English learner students, including redesignated fluent English proficient students, that is reflective of the general population residing within the district's territorial jurisdiction.

CSBA NOTE: Pursuant to Education Code 47605, when the number of students who wish to attend the charter school exceeds the school's capacity, attendance must be determined by a public random drawing, with admission preference extending to students who currently attend

the charter school and students who reside in the district. Education Code 47605 provides that admission preferences may also include, but are not limited to, siblings of students admitted or attending the charter school and children of the school's teachers, staff, and founders identified in the initial charter. Education Code 47605 requires that the priority order for preference be determined in the charter petition as provided below.

9. ~~10.~~ The charter school's student admission policy:

_____ The petition shall, in accordance with Education Code 47605(e), specify procedures for determining enrollment when the number of applicants exceeds the school's capacity, including requirements for the use of a public random drawing, admission preferences, and priority order of preferences as required by law and subject to Governing Board approval.

~~10.~~ 11. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the Board's satisfaction:

CSBA NOTE: Education Code 47605 requires that the suspension and expulsion procedures included in the charter petition prohibit the involuntary removal of a student, unless written notice of intent to remove the student has been given to the student and the student's parent/guardian. When such a student is a foster child or youth, ~~homeless child,~~ student experiencing homelessness or Indian child, as defined in Welfare and Institutions Code 224.1, Education Code 47605, as amended by AB 740 (Ch. 400, Statutes of 2022), requires such notifications to also be given to other specified individuals, such as a foster youth's educational rights holder, attorney, and county social worker, a ~~homeless child's~~ the educational rights holder, and for a student experiencing homelessness, or an Indian child's tribal social worker, and if applicable, county social worker. Pursuant to Education Code 47605, as amended by AB 740, these individuals have the same rights as a parent/guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.

Additionally, Education Code 47606.2 requires that the suspension procedures included in the charter petition provide that (1) upon request of a student who has been suspended for two or more school days, or the student's parent/guardian or other person holding the right to make educational decisions for the student, the homework assigned during the period of suspension will be given and (2) any such completed homework shall not count towards the student's overall grade in the class unless the assignments are graded before the end of the academic term.

In addition, pursuant to Education Code 48900, as amended by AB 2711 (Ch. 840, Statutes of 2024), students who voluntarily disclose their use of a tobacco product, controlled substance, alcohol, or an intoxicant of any kind in order to seek help through services or supports may not be suspended solely for that disclosure.

~~11.~~ 12. The procedures by which students can be suspended or expelled for disciplinary reasons or otherwise involuntarily removed for any reason, including an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements as specified in Education Code 47605- and 47605.6

Such procedures shall contain a clear statement that no student shall be involuntarily removed by the charter school for any reason unless written notice of the intent to remove the student is given to the student's parent/guardian at least five schooldays before the effective date of the removal. In the case of a ~~homeless~~ student experiencing homelessness or foster youth, the notice shall be given to the student's educational rights holder. Additionally, a foster youth's attorney and county social worker, and an Indian child's tribal social worker, and if applicable, the county social worker, shall be given such notice.

For suspensions of fewer than 10 days, the student shall be provided oral or written notice of the charges and an explanation or the supporting evidence. The student shall be provided an opportunity to provide a response.

The notice shall Notice shall include written notice of the charges and inform the student, the student's parent/guardian, and any other specified individual, as applicable, of the right to initiate a hearing as described in Education Code 47605, before the effective date of the removal. The notice shall be provided in the student's parent/guardian's, or other applicable person's language, and, if such a hearing is initiated, shall include the student's right to remain enrolled in the charter school until a final decision is made by the charter school.

In addition, the procedures shall contain a statement pertaining to the provision of homework assignments to suspended students as specified in Education Code 47606.2.

Such procedures shall also include processes by which the charter school will, within 30 days, notify the Superintendent of the district of the student's last known address and, upon request, provide the student's cumulative record to the district, when a student is expelled or leaves the charter school without graduating or completing the school year for any reason. In addition, the procedures shall describe the means by which the district can contact the charter school if the student is subsequently expelled or leaves the school district without graduating or completing the school year for any reason.

Involuntarily removed means disenrolled, dismissed, transferred, or terminated, but does not include suspensions. (Education Code 47605)

- ~~12.~~ 13. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security:
- ~~13.~~ 14. The public school attendance alternatives for students residing within the district who choose to not attend the charter school:
- ~~14.~~ 15. A description of the rights of any district employee upon leaving district employment to work in the charter school and of any rights of return to the district after employment at the charter school:
- ~~15.~~ 16. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions:

CSBA NOTE: Education Code 47605 requires charter petitions to contain the declaration specified in Item #~~16~~17 below regarding responsibilities for collective bargaining. If the charter school is not deemed the public school employer for purposes of collective bargaining under Government Code 3540-3549.3, the district where the charter school is located shall be deemed the public school employer for these purposes, pursuant to Education Code 47611.5. Education Code 47611.5 further provides that, if the charter does not specify that the charter school shall comply with laws and regulations governing tenure or a merit or civil service system, the scope of representation for that charter school shall also include discipline and dismissal of charter school employees.

- ~~16.~~ 17. A declaration as to whether the charter school will be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.

CSBA NOTE: Education Code 47605 and 5 CCR 11962 require the charter petition to include procedures to be used in the event that the charter school closes for any reason, as provided in Item #~~17~~18 below. Duties of the district pertaining to charter school closures include notification requirements pursuant to Education Code 47604.32 and 5 CCR 11962.1; see BP 0420.41 - Charter School Oversight.

- ~~17.~~ 18. Consistent with 5 CCR 11962, the procedures to be used if the charter school closes, including, but not limited to:

- a. Designation of a responsible entity to conduct closure-related activities
- b. Notification to parents/guardians, the Board, the ~~county office~~County Office of ~~education~~Education, the special education local plan area in which the charter school participates, the retirement systems in which the school's employees participate, and the California Department of Education, providing at least the following information:
 - i. The effective date of the closure
 - ii. The name(s) and contact information of the person(s) to whom reasonable inquiries may be made regarding the closure
 - iii. The students' districts of residence
 - iv. The manner in which parents/guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements
- c. Provision of a list of students at each grade level, the classes they have completed, and their districts of residence to the responsible entity designated in accordance

with Item #17a18a above

- d. Transfer and maintenance of all student records, all state assessment results, and any special education records to the custody of the responsible entity designated in accordance with Item #17a18a above, except for records and/or assessment results that the charter may require to be transferred to a different entity
- e. Transfer and maintenance of personnel records in accordance with applicable law
- f. Completion of an independent final audit within six months after the closure of the charter school that may function as the annual audit, which includes an assessment of the disposition of any restricted funds received by or due to the school and an accounting of all financial assets and liabilities pursuant to 5 CCR 11962
- g. Disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed pursuant to 5 CCR 11962:
- h. Completion and filing of any annual reports required pursuant to Education Code 47604.33
- i. Identification of funding for the activities identified in Item #17a18a-h above

CSBA NOTE: Education Code 47605 requires that petitioners provide to the Board the information listed in Items #1-4 below, and, for any petition to operate a charter school by or as a nonprofit public benefit corporation, the information listed in Item #5 below.

The Board may require additional information beyond what is included in Items #1-5. As outlined in CSBA's, "Charter Schools: A Guide for Governance Teams," some districts request a school calendar, information regarding transportation arrangements, staff development plans, assurances that the school will provide appropriate services for English language learners and students with disabilities, or any other information that will assist the Board in understanding the proposal. Districts that wish to require additional information in the charter may list those items below.

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including, but not limited to: (Education Code 47605)

CSBA NOTE: Education Code 47605 requires that information on school facilities, listed in Item #1 below, specify where the school intends to locate. Unless otherwise exempted, the school must be located within the geographic boundaries of the chartering district; see section "Location of Charter School" below.

1. The facilities to be used by the charter school, including where the school intends to locate
2. The manner in which administrative services of the charter school are to be provided
3. Potential civil liability effects, if any, upon the charter school and district
4. Financial statements that include a proposed first-year operational budget, including start-up costs and cash-flow and financial projections for the first three years of operation
5. If the charter school is to be operated by or as a nonprofit public benefit corporation, the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school

Location of Charter School

CSBA NOTE: Education Code 47605 and 47605.1 establish geographic and site requirements for charter schools. Pursuant to Education Code 47605, a charter school granted by either the County Board of Education or the State Board of Education following initial denial by the district must locate within the geographic boundaries of the district that denied the petition.

Unless otherwise exempted by law, the charter petition shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

CSBA NOTE: Pursuant to Education Code 47605.1, a resource center, meeting space, or other satellite facility used by a charter school for nonclassroom-based independent study must, with specified exceptions, be located within district boundaries.

A charter school may establish a resource center, meeting space, or other satellite facility within the jurisdiction of the school district where the charter school is physically located if both of the following conditions are met: (Education Code 47605.1)

1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school.
2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

State	Description
5 CCR 11960-11969.10	Charter schools
Corp. Code 5110-6910	Nonprofit public benefit corporations
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17078.52-17078.66	Charter schools facility funding; state bond proceeds
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17365-17374	Field Act; fitness for occupancy; liability of board members
Ed. Code 200	Equal rights and opportunities in state educational institutions
Ed. Code 220	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 33126	School accountability report card
Ed. Code 41365	Charter school revolving loan fund
Ed. Code 42131	Interim certification
Ed. Code 42238.02-42238.52	Funding for charter districts
Ed. Code 44237	Criminal record summary
Ed. Code 44830.1	Certificated employees; conviction of a violent or serious felony
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 46201	Instructional minutes
Ed. Code 47600-47616.7	Charter Schools Act of 1992
Ed. Code 47640-47647	Special education funding for charter schools
Ed. Code 47650-47655	Funding of charter schools
<u>Ed. Code 48900</u>	<u>Suspension or expulsion; use of controlled substances</u>
Ed. Code 49011	Student fees; definition
Ed. Code 51744-51749.6	Independent study
Ed. Code 51745	Independent study
Ed. Code 52052	Accountability; numerically significant student subgroups

Ed. Code 52060-52077

Ed. Code 56026

Ed. Code 56145-56146

Gov. Code 1090-1099

Gov. Code 3540-3549.3

Gov. Code 54950-54963

Gov. Code 7920.000-7930.215

Gov. Code 81000-91014

W&I Code 224.1

Federal

[20 USC 1400-1482](#)

20 USC 7221-7221j

[29 USC 794](#)

[42 USC 12101-12213](#)

Management Resources

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

California Charter Authorizing
Professionals Pub.

Court Decision

Court Decision

Court Decision

CSBA Publication

Local control and accountability plan

Special education

Special education services in charter schools

Prohibitions applicable to specified officers

Educational Employment Relations Act

The Ralph M. Brown Act

California Public Records Act

Political Reform Act

Indian child; definition

Description

[Individuals with Disabilities Education Act](#)

Charter schools

[Rehabilitation Act of 1973; Section 504](#)

[Americans with Disabilities Act](#)

Description

101 Ops.Cal.Atty.Gen. 92 (2018)

78 Ops.Cal.Atty.Gen. 297 (1995)

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

Memorandum of Understanding (MOU) Resource, September
2022

<https://calauthorizers.org/resource/memorandum-of-understanding-mou-resource-samples-and-cross-reference/>

Napa [Valley](#) Unified School District v. California State Board
of Education, Case No. ~~34-2022-80004051~~ [C099068](#)

CSBA'S Education Legal Alliance v. California State
Board of Education, Case No. ~~34-2018-80002834~~

Ridgecrest Charter School v. Sierra Sands Unified School
District (2005) 130 Cal.App.4th 986

Uncharted Waters: Recommendations for Prioritizing
Student Achievement and Effective Governance in
California's Charter Schools, September 2018

CSBA Publication	https://www.csba.org/unchartedwaters Charter Schools: A Guide for Governance Teams, rev. February 20162021 https://publications.csba.org/california-school-news/july-2021/csba-charter-school-guidebook-update-available-in-amazon-kindle-store/
CSBA Publication	Charter Schools and Board Member Responsibilities, Education Insights Legal Update Webcast, March 2016
CSBA Publication	Charter Schools in Focus, Issue 1: Managing the Petition Review Process, Governance Brief, November 2016 https://www.csba.org/GovernanceAndPolicyResources/FairFunding/~media/CSBA/Files/GovernanceResources/GovernanceBriefs/201611GBCharterSchoolsIssue1-Petitions.ashx
U.S. Department of Education Publication	Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014 https://www.ed.gov/media/document/title-v-part-b-nonregulatory-guidance-charter-schools-program-january-2014-16985.pdf
U.S. Department of Education Publication	Dear Colleague Letter: Guidance Regarding the Oversight of Charter Schools Program and Regulatory Requirements, August 2016
Website	CSBA District and County Office of Education Legal Services
Website	National Association of Charter School Authorizers
Website	California Charter Schools Association
Website	California Department of Education, Charter Schools
Website	CSBA
Website	U.S. Department of Education

Cross References

Code	Description
0420.41	Charter School Oversight
0420.41-E(1)	Charter School Oversight
0420.42	Charter School Renewal

0420.43	Charter School Revocation
0430	Comprehensive Local Plan For Special Education
0430	Comprehensive Local Plan For Special Education
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0510	School Accountability Report Card
0510	School Accountability Report Card
2230	Representative And Deliberative Groups
4116	Probationary/Permanent Status
4116	Probationary/Permanent Status
6146.3	Reciprocity Of Academic Credit
6146.3	Reciprocity Of Academic Credit
6158	Independent Study
6158	Independent Study
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6178	Career Technical Education
6178	Career Technical Education
6184	Continuation Education
6184	Continuation Education
7160	Charter School Facilities
7160	Charter School Facilities
9320	Meetings And Notices

Policy 0420.41: Charter School Oversight

Status: ADOPTED

Original Adopted Date: 10/01/2013 | Last Revised Date: 06/01/2024~~2025~~ | Last Reviewed
Date: 06/01/2024~~2025~~

CSBA NOTE: The following optional policy may be revised to reflect district practice. The Governing Board is required to oversee any charter school it authorizes. This oversight is to ensure the school's compliance with legal requirements and the charter. Additionally, pursuant to Education Code 47604, if the district complies with all oversight responsibilities required by law, it will not be liable for the debts or obligations of any charter school that operates as or is operated by a nonprofit public benefit corporation pursuant to Corporations Code 5110-6910.

For guidance when determining whether to grant a renewal of the charter or whether a revocation of the charter is warranted, see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation.

Pursuant to Education Code 47605, if the State Board of Education (SBE) approves a petition upon appeal after the Board and County Board of Education have denied the petition, SBE is required to designate, in consultation with the petitioner, either the Board or the County Board as the chartering authority.

The Governing Board recognizes its ongoing responsibility to oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter.

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

CSBA NOTE: Education Code 47604.32 requires the district to visit each charter school at least once every year. CSBA's publication, "Charter Schools: A Guide for Governance Teams," recommends more frequent visits in order to monitor school operations more closely and develop relationships with the staff at the school.

The Superintendent or designee shall visit each charter school at least annually and may inspect or observe any part of a charter school at any time. (Education Code 47604.32, 47607)

CSBA NOTE: Pursuant to Education Code 47604, if a charter school operates as, or is operated by, a nonprofit public benefit corporation, the Board is entitled to appoint a single representative to the board of directors of the nonprofit public benefit corporation. It is recommended that the Board not appoint a district employee or a Board member to the nonprofit's board. Districts ~~that~~which seek to appoint a representative are ~~advised~~recommended to consult CSBA's District and County Office of Education Legal Services or district legal counsel regarding any potential conflict of interest that may arise. Additionally, as an alternative to appointing a member to the nonprofit's board, CSBA's Guide suggests that the district designate its charter school contact,

appointed pursuant to Education Code 47604.32, to simply attend meetings of the nonprofit's board.

The Superintendent may designate someone to attend meetings of the charter school governing body whenever possible.

Monitoring Charter School Performance

CSBA NOTE: The district has a responsibility to oversee that the charter school complies with all applicable legal requirements. Violation of any law may subject the charter school to revocation pursuant to Education Code 47607. See the accompanying Exhibit for a list of legal requirements pertaining to the operation of charter schools.

Any charter school authorized by the Board shall be monitored by the Superintendent or designee to determine whether the charter school complies with all legal requirements applicable to charter schools, including all reports required of charter schools by law, as specified in Education Code 47604.32. Any violations of law shall be reported to the Board.

The Superintendent or designee and the governing bodies of charter schools authorized by the Board shall review new laws and regulations applicable to charter schools.

CSBA NOTE: Education Code 47605 requires that measurable student outcomes for all students of the charter school, including numerically significant student subgroups as defined in Education Code 52052, be included in the school's charter petition and that these outcomes be aligned with the state priorities for the local control and accountability plan (LCAP) as stated in Education Code 52060; see AR 0420.4 - Charter School Authorization. Pursuant to Education Code 52052, numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, long term English learners, students with disabilities, foster youth, and homeless students experiencing homelessness, when the subgroup consists of at least 30 students (or at least 15 foster youth or homeless students experiencing homelessness) in the school.

Education Code 47605 requires that the charter petition include methods for measuring the charter school's progress toward achieving student outcomes. Although the measures of the school's progress may vary, Education Code 47605 requires that charter schools conduct any statewide assessments applicable to other public schools. In addition, charter schools are included in the California School Dashboard, which reports the status of school performance on multiple state and local indicators and is intended to assist schools and districts in identifying strengths and areas in need of improvement in each priority area addressed by the LCAP. Charter schools that serve high-risk students may qualify for the state's Dashboard Alternative School Status program, which uses modified methods of measurement for accountability indicators when appropriate, but may not be used for federal accountability purposes.

The Board shall monitor each charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter and any applicable MOU, memorandum of understanding (MOU), and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and

accountability plan (LCAP), as reported in the California School Dashboard.

CSBA NOTE: The Multi-Agency Charter School Audits Task Force's publication, "Audit Best Practices for Detecting and Curtailing Charter School Fraud," offers guidelines that may assist charter school authorizers to promptly identify financial issues or misconduct.

The Board shall monitor the fiscal condition of the charter school based on any financial report or information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, LCAP and annual update of the charter school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

Waivers

CSBA NOTE: A charter school is not authorized to submit general waiver requests to SBE on its own behalf, unless an exception applies. Rather, a charter school may submit a waiver request through the district. A general waiver request form is available on the California Department of Education's (CDE) website. See BP 1431 - Waivers.

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the Board approve and the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to SBE on behalf of the charter school.

Provision of District Services

CSBA NOTE: CSBA's Guide recommends one or more memoranda of understanding (MOU) to clarify any financial and operational agreements between the district and the charter school, including any services that will be provided by the district; see BP 0420.4 - Charter School Authorization.

Upon approval by the Board of an appropriate agreement, the charter school may contract with the district or any other source for administrative or other services. (Education Code 47613)

Whenever the district agrees to provide administrative or support services to a charter school, the district and the charter school shall develop a memorandum of understanding (MOU) MOU, which clarifies the financial and operational agreements between them.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school for the actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to petitions for the authorization of charter schools as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

The Board shall determine whether a proposed change in charter school operations would constitute a material revision of the approved charter.

If an approved charter school proposes to expand operations to one or more additional sites or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations or grade levels at an open, public meeting. (Education Code 47605, 47607)

The Board may deny a proposed material revision if it finds that the proposed material revision would render the charter school demonstrably unlikely to serve the interests of the entire community in which the school is located or proposes to locate. In making this finding, the Board shall consider all of the following: (Education Code 47605)

- ~~1. The fiscal impact of the proposed expansion on the district~~
- ~~2. The extent to which the expansion would substantially undermine existing services, academic offerings, or programmatic offerings~~
- ~~3. Whether the expansion would duplicate a program currently offered within the district that has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate~~

~~Additionally, the Board may deny a proposed material revision if it finds that the district is not positioned to absorb the fiscal impact of the proposed material revision. The Board shall make this finding if the district has a qualified interim certification pursuant to Education Code 42131 and the County Superintendent of Schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the district having a negative interim certification pursuant to Education Code 42131, the district has a negative interim certification pursuant to Education Code 42131, or the district is under state receivership. (Education Code 47605)~~

Location of Charter Schools

CSBA NOTE: Education Code 47605 and 47605.1 establish geographic and site requirements for charter schools. Pursuant to Education Code 47605, a charter school ~~must~~ **is required to** be located

within the geographic boundaries of the authorizing district. However, Education Code 47605 permits the location of some charter schools outside of the authorizing district's boundaries under specified conditions. For example, a charter school in operation before October 1, 2019, on a federally recognized California reservation or rancheria or operated by a federally recognized California Indian tribe is exempted from the geographic restrictions of Education Code 47605.1. For information about geographic and site requirements for new charter schools, see AR 0420.4 - Charter School Authorization.

Except when permitted to operate outside district boundaries pursuant to Education Code 47605 and 47605.1, a charter school shall be located within district boundaries.

Fees/Charges for Supervisorial Oversight

CSBA NOTE: Education Code 47613 authorizes the district to charge the charter school, within specified limits, for the costs of supervisorial oversight of the school. Education Code 47613 provides that the costs of supervisorial oversight include, but are not limited to, costs incurred for technical assistance or intervention pursuant to Education Code 47607.3; see "Technical Assistance/Intervention" below. CSBA's Guide suggests that supervisorial oversight activities also might include site visits and site visit protocols, development of ~~memorandums of understanding~~ **MOUs**, reviews of performance data and financial reports, review of governance procedures, monitoring of teacher credentialing and assignments, facilities compliance, and legal auditing.

The district may charge for district supervisorial oversight as follows: (Education Code 47613; 5 CCR 11969.7)

1. Actual costs up to one percent of the charter school's revenue
2. Actual costs up to three percent of the charter school's revenue if the district provides the charter school substantially rent-free facilities

If the district provides the charter school with facilities under Education Code 47614 and charges the charter school a pro-rata share of the facilities costs calculated pursuant to 5 CCR 11969.7, the district may only charge the charter school for the actual costs of supervisorial oversight up to one percent of the charter school's revenue.

3. Actual costs if the district is assigned supervisorial oversight responsibility for the charter school by SBE when authorized on appeal

Technical Assistance/Intervention

CSBA NOTE: Education Code 47607.3 establishes criteria for the provision of technical assistance to charter schools including, but not limited to, the option to request assistance from the California Collaborative for Educational Excellence (CCEE). If, after providing technical assistance, the CCEE informs the Board that the charter school has failed or is unable to implement CCEE's recommendations or continues to have persistent or acute inadequate performance, then the Board must consider revocation of the charter; see BP 0420.43 - Charter School Revocation. Whenever a

charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent of Schools. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code 47607.3)

1. Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605(c)

This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.

2. Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school

Another service provider, including, but not limited to, a school district, county office of education, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.

3. Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in Items #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in Items #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes

In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified in the charter, the County Superintendent may request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074. (Education Code 47607.3; 52072)

CSBA NOTE: Education Code 47607 requires the Board to consider specified criteria of academic performance when determining whether to deny a petition for charter renewal or to revoke a charter, with achievement of all student subgroups served by the charter school being the most important factor; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, Education Code 47607.3 requires the Board to consider revocation of a charter whenever it finds that the charter school has failed, or is unable, to implement the recommendations of CCEE or continues to demonstrate persistent or acute inadequate performance. In accordance with law, the Board may deny a charter school's renewal petition or may

revoke a charter based on the charter school's poor performance, especially with regard to inadequate academic achievement of all numerically significant subgroups of students served by the charter school. (Education Code 47607, 47607.2)

Complaints

CSBA NOTE: Pursuant to Education Code 52075, charter schools are required to establish policies and procedures for addressing complaints of noncompliance with Education Code 47606.5 (annual update of school goals, actions, and related expenditures) or 47607.3 (technical assistance or intervention based on the school's failure to improve student outcomes). See AR 1312.3 - Uniform Complaint Procedures for applicable procedures.

Each charter school shall establish and maintain policies and procedures in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4670 to enable any person alleging the school's noncompliance with Education Code 47606.5 or 47607.3 to file a complaint with the charter school. (Education Code 52075)

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

CSBA NOTE: Pursuant to Education Code 47605, procedures to be followed in the event a charter school ceases operation for any reason must be specified in the charter; see AR 0420.4 - Charter School Authorization. 5 CCR 11962 lists components that must be included in these procedures, including (1) designation of a responsible entity to conduct closure-related activities, (2) notifications to specified persons and entities, (3) provision of information about students' grade level, course completion, and district of residence, (4) transfer and maintenance of student and personnel records, (5) completion of an independent final audit, (6) disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed, (7) completion and filing of any annual reports required pursuant to Education Code 47604.33, and (8) identification of funding for the activities identified in [#1-7](#).

Depending on the terms of the charter, these duties may be performed by the charter school, the district, or another specified entity. However, Education Code 47604.32 specifies that it is the responsibility of the district to notify CDE when a charter school ceases operation for any reason. CSBA's Guide recommends that, in addition to the notifications required by 5 CCR 11962, either the district or the charter school should announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school.

In the event that the Board revokes or denies renewal of a charter or the charter school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with

the charter school and/or an applicable agreement between the district and the charter school, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out of the charter school.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of a charter is denied, a charter is revoked, or a charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

State	Description
5 CCR 11700-11705	Independent study
5 CCR 11960-11969.10	Charter schools
5 CCR 4600-4670	Uniform complaint procedures
Bus. And Prof. Code 7583.45	Training for security officers
CA Constitution Article 16, Section 8.5	Public finance; school accountability report card
CA Constitution Article 9, Section 5	Common school system
Corp. Code 5110-6910	Nonprofit public benefit corporations
Ed. Code 1006	Prohibition against school district employees serving on county board of education
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17365-17374	Field Act; fitness for occupancy; liability of board members
<u>Ed. Code 200</u>	<u>Nondiscrimination declaration of purpose</u>
<u>Ed. Code 210.2</u>	<u>Educational equity definition</u>
Ed. Code 215	Suicide prevention policies
Ed. Code 215.5	Student identification cards; inclusion of safety hotlines

Ed. Code 220	Prohibition of discrimination
<u>Ed. Code 220.5</u>	<u>Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression</u>
Ed. Code 221.61	Posting of Title IX information on website
Ed. Code 221.9	Sex equity in competitive athletics
Ed. Code 222	Reasonable accommodations; lactating students
Ed. Code 222.5	Pregnant and parenting students; notification of rights
Ed. Code 231.5	Sexual harassment policy
Ed. Code 234.4	Mandated policy on bullying prevention
Ed. Code 234.6	Bullying and harassment prevention information
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 243	Prohibition of discrimination; instructional materials
<u>Ed. Code 244</u>	<u>Prohibition of discrimination; instructional materials adoption</u>
<u>Ed. Code 17586</u>	<u>Interior locks on buildings</u>
Ed. Code 32280-32289.5	School safety plans
Ed. Code 32283.5	Bullying; online training
<u>Ed. Code 33317.3</u>	<u>Student transfer reporting</u>
Ed. Code 33353	California Interscholastic Federation; standardized incident form
<u>Ed. Code 33355</u>	<u>Extreme weather protocols</u>
Ed. Code 33479-33479.9	The Eric Parades Sudden Cardiac Arrest Prevention Act
<u>Ed. Code 35012</u>	<u>Student board member participation in expulsion hearings</u>
Ed. Code 35120	Student board membership
Ed. Code 35179.4-35179.6	Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program
Ed. Code 35183.1	Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
Ed. Code 35292.6	Stocking of menstrual products
Ed. Code 35330	Field trips and excursions; student fees

Ed. Code 38001.5	Training for security officers
Ed. Code 38080-38086	School meals
Ed. Code 39831.3	Transportation safety plan
Ed. Code 39843	Disciplinary action against bus driver; report to Department of Motor Vehicles
Ed. Code 41024	Report of expenditure of state facility funds
Ed. Code 42100	Annual statement of receipts and expenditures
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44237	Criminal record summary
<u>Ed. Code 44238.9</u>	<u>District oversight</u>
Ed. Code 44691	Information on detection of child abuse; annual training
Ed. Code 44830.1	Certificated employees; conviction of a violent or serious felony
<u>Ed. Code 44841</u>	<u>CPR certification</u>
<u>Ed. Code 44939.5</u>	<u>Certificated applicant screening</u>
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 46015	Accommodations for pregnant and parenting pupils
Ed. Code 46015	Accommodations for pregnant and parenting students; parental leave
<u>Ed. Code 46300</u>	<u>Transitional kindergarten and kindergarten students in attendance calculation</u>
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 47600-47616.7	Charter Schools Act of 1992
Ed. Code 47634.2	Nonclassroom-based instruction
Ed. Code 47640-47647	Special education funding for charter schools
Ed. Code 47651	Apportionment of funds; charter schools
Ed. Code 48000	Minimum age of admission for kindergarten; transitional kindergarten
Ed. Code 48010	Minimum age of admission to first grade

Ed. Code 48206.3-48208	Students with temporary disabilities; individual instruction
Ed. Code 48850-48859	Students in foster care and students experiencing homelessness
Ed. Code 48850-48859	Education of foster youth and homeless students
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 48901.1	Suspension and expulsion; willful defiance
<u>Ed. Code 48901.7</u>	<u>Smartphone policy</u>
<u>Ed. Code 48901.8</u>	<u>Social media policy</u>
Ed. Code 48907	Exercise of free expression; time, place, and manner rules and regulations
Ed. Code 48913.5	Suspended students; homework assignments
Ed. Code 48950	Speech and other communication
<u>Ed. Code 48980.6</u>	<u>Dual enrollment offerings notification</u>
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49005-49006.4	Seclusion and restraint
Ed. Code 49010	Student fees
Ed. Code 49011	Student fees; definition
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49061	Definitions; directory information
Ed. Code 49062.5	Student records; name or gender change
Ed. Code 49070	Challenging student records
Ed. Code 49073.2	Privacy of student and parent/guardian personal information; minutes of board meeting
Ed. Code 49076.7	Student records; data privacy; social security numbers
Ed. Code 49110	Authority to issue work permits
Ed. Code 49381	Human trafficking prevention
Ed. Code 49406	TB risk assessment
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
<u>Ed. Code 49400-49417</u>	<u>Student health; General powers of school boards</u>

Ed. Code 49428	Notification of mental health services
Ed. Code 49428.5	Employment of medical personnel
Ed. Code 49430-49434	The Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49431.9	Prohibition of advertisement of non-nutritious foods
Ed. Code 49475	Health and safety; concussions and head injuries
Ed. Code 49501.5	Free breakfast and lunch to all students
<u>Ed. Code 49531</u>	<u>Food dyes prohibition</u>
Ed. Code 49550-49564.5	Meals for needy students
Ed. Code 49557.5	Child Hunger Prevention and Fair Treatment Act of 2017
Ed. Code 49564.3	Provision of federal universal meal service
Ed. Code 49603	On campus access to employers and military services
Ed. Code 49700-49701	Education of children of military families
Ed. Code 51224.7	Mathematics placement policy
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
Ed. Code 51225.3	High school graduation requirements
<u>Ed. Code 51225.31</u>	<u>Graduation exemption for students with disabilities</u>
<u>Ed. Code 51225.32</u>	<u>Graduation requirements for students with disabilities</u>
<u>Ed. Code 51225.38</u>	<u>Dangers associated with fentanyl</u>
Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation; districts that require health education for graduation
Ed. Code 51225.7-51225.8	Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application
Ed. Code 51413	Diploma of graduation without passage of high school exit examination
Ed. Code 51744-51749.6	Independent study
Ed. Code 51925-51929	Mandatory mental health education
Ed. Code 51930-51939	California Healthy Youth Act
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Uniform complaint procedures

Ed. Code 52770	College and career fairs; community college districts
<u>Ed. Code 53234-53235.2</u>	<u>Ethics training for governing body</u>
Ed. Code 52770	College and career fairs
Ed. Code 56026	Special education
Ed. Code 56040.3	Availability of assistive technology device
<u>Ed. Code 56040.6</u>	<u>Deaf, hard of hearing student considerations</u>
Ed. Code 56145-56146	Special education services in charter schools
Ed. Code 56365-56366.12	Nonpublic, nonsectarian schools
Ed. Code 56521.1-56521.2	Emergency Interventions
Ed. Code 60600-60649	Assessment of academic achievement
<u>Ed. Code 60900</u>	<u>Charter school closure</u>
Ed. Code 64000	Categorical programs included in consolidated application
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 65000-65001	School site councils
Ed. Code 69432.9-69432.92	Cal Grant program; notification of grade point average and high school graduation
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3555-3559	Public employee communication, information and orientation
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 81000-91014	Political Reform Act
H&S Code 104420	Tobacco Use Prevention Education grant program
H&S Code 104559	Tobacco-free schools
Lab. Code 1198.5	Personnel records related to performance and grievance
Lab. Code 3074.2	College and career fairs; notice to apprenticeship programs
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system

Federal

20 USC 1681-1688

20 USC 6311

20 USC 7221-7221j

34 CFR 200.1-200.78

42 USC 11431-11435

Management Resources

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

CA Office of Administrative Hearings
Decisions

California Attorney General

California Department of Education
Publication

California Department of Education
Publication

California Department of Education
Publication

California Department of Education
Publication

California Dept. of Pesticide Reg.
Publication

Description

Title IX of the Education Amendments of 1972;
discrimination based on sex

State plan

Charter schools

Accountability

McKinney-Vento Homeless Assistance Act

Description

104 Ops.Cal.Atty.Gen. 66 (2021)

101 Ops.Cal.Atty.Gen. 92 (2018)

78 Ops.Cal.Atty.Gen. 297 (1995)

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

Student v. Horizon Instructional Systems Charter School
(2012) OAH Case No. 2011060763

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, December 2024
(<https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>)

Pupil Fees, Deposits, and Other Charges, Fiscal Management
Advisory 20-01, July 23, 2020

California School Accounting Manual

Model Youth Suicide Prevention Policy for Local Educational
Agencies that Serve Kindergarten through Twelfth Grade
Students
<https://www.cde.ca.gov/ls/mh/documents/modelpolicy.docx>

Pupil Fees, Deposits, and Other Charges, Fiscal Management
Advisory 23-02, November 2023

<https://www.cde.ca.gov/re/lr/fm/documents/fma2302.pdf>

School District Integrated Pest Management Plan Template
<https://www.cdpr.ca.gov/wp-content/uploads/2024/08/hsa-school-district-ipm-plan.pdf>

California Interscholastic Federation Publication	Pursuing Victory with Honor, 1999
Court Decision	Ridgecrest Charter School v. Sierra Sands Unified School District (2005) 130 Cal.App.4th 986
CSBA Publication	Charter Schools: A Guide for Governance Teams, rev. 2021
CSBA Publication	Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017 https://www.csba.org/CharterSchoolsOversight
CSBA Publication	Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018 https://www.csba.org/unchartedwaters
<u>Multi-Agency Charter SATF's Publication</u>	<u>Audit Best Practices for Detecting and Curtailing Charter School Fraud, September 2024</u> https://www.sco.ca.gov/Files-EO/charter-school-audits-task-force-final-report.pdf
U.S. DOE Guidance	Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014 https://www.ed.gov/media/document/title-v-part-b-nonregulatory-guidance-charter-schools-program-january-2014-16985.pdf
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Agriculture
Website	National Suicide Prevention Lifeline
Website	National Domestic Violence Hotline
Website	California State Teachers Retirement System
Website	California Public Employees Retirement System
Website	California Department of General Services, Office of Administrative Hearings
Website	California Commission on Teacher Credentialing
Website	California Commission on Peace Officer Standards and Training
Website	California Bureau of Security and Investigative Services
Website	California Department of Pesticide Regulation
Website	California State Controller

Website	California Student Aid Commission
Website	National Association of Charter School Authorizers
Website	California Charter Schools Association
Website	California Department of Education, Charter Schools
Website	California Interscholastic Federation
Website	California Office of the Attorney General
Website	CSBA
Website	U.S. Department of Education

Cross References

Code	Description
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.42	Charter School Renewal
0420.43	Charter School Revocation
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1431	Waivers
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
7160	Charter School Facilities
7160	Charter School Facilities

Exhibit 0420.41-E(1): Charter School Oversight

Status: ADOPTED

Original Adopted Date: 07/01/2017 | **Last Revised Date:** 06/01/2024~~2025~~ | **Last Reviewed Date:** 06/01/2024~~2025~~

REQUIREMENTS FOR CHARTER SCHOOLS

CSBA NOTE: Pursuant to Education Code 47610, charter schools are exempt from Education Code provisions governing school districts unless otherwise specified in law. However, charter schools, like other public schools, are subject to the state and federal constitutions, applicable federal laws, state laws that apply to governmental agencies in general, and state laws that are expressly applicable to charter schools. Violation of any law may subject the charter school to revocation pursuant to Education Code 47607; see BP 0420.43 - Charter School Revocation.

This exhibit is a non-exhaustive list of legal requirements that apply to charter schools and may be used by districts to monitor a charter school's compliance with law. Other legal requirements may exist and may be identified in the future. as of June 1, 2025, and will no longer be updated thereafter.

A charter school shall be subject to the terms of its charter; any memorandum of understanding between the school and the district Governing Board; the state and federal constitutions; applicable federal laws; state laws that apply to governmental agencies in general; and other legal requirements that are expressly applicable to charter schools, including, but not limited to, the following requirements.

Governance

1. Comply with the Ralph M. Brown Act (Government Code 54950-54963), California Public Records Act (Government Code 7920.000-7930.215), conflict of interest laws (Government Code 1090-1099), and Political Reform Act (Government Code 81000-91014), including the adoption of a conflict of interest code pursuant to Government Code 87300 (Education Code 47604.1)
2. Except as otherwise authorized by Government Code 54954, hold the meetings of ~~its~~the governing body of a charter school within the physical boundaries of the county in which the charter school is located or, if a nonclassroom-based charter school that does not have a facility or operates one or more resource centers, hold governing body meetings within the physical boundaries of the county in which the greatest number of students enrolled in the charter school reside

In addition, a two-way teleconference location shall be established at the school site and/or resource center, as applicable. (Education Code 47604.1)

3. The charter school's executive director or any of the charter school's employees shall not serve as a member of the county board of education in the county where the charter school is located (Education Code 1006; Government Code 1099)

CSBA NOTE: Pursuant to Education Code 47604.2, the governing body of a charter school attended by high school students is required to appoint a student member to the governing body if it receives a petition for such appointment, and, as amended by AB 275 (Ch. 321, Statutes of 2023), may award the student member of the governing body elective course credit based on the number of equivalent daily instructional minutes for the student member's services provided or monthly financial compensation for such service.

4. If the charter school is attended by high school students and the governing body receives student petition to appoint a student member to the governing body, appoint one or more student members in accordance with Education Code 47604.2

CSBA NOTE: Pursuant to Education Code 48901.7, as amended by AB 3216 (Ch. 500, Statutes of 2024), the governing body is required, by July 1, 2026, to adopt policy that limits or prohibits student use of smartphones while at a school site or under the supervision and control of charter school employee(s), and subsequently, to update the policy every five years.

5. The governing body is required, by July 1, 2026, to develop, in conjunction with students, parents/guardians, and charter school employees, adopt, and update every five years, a policy to limit or prohibit student use of smartphones while at a school site or under the supervision and control of charter school employee(s) (Education Code 48901.7)

CSBA NOTE: Education Code 33355 requires charter schools to, by July 1, 2026, develop, adopt, implement and annually review weather protocols for extreme weather conditions.

6. On or before July 1, 2026, develop, adopt, implement and annually review weather protocols for extreme weather conditions

The weather protocols shall incorporate the standardized guidelines compiled by the California Department of Education (CDE) and detail the specific measures to be taken during extreme weather conditions in accordance with Education Code 33355.

CSBA NOTE: Government Code 53235 requires members of the governing body in service as of January 1, 2025, except for members whose term of office ends before January 1, 2026, to receive ethics training before January 1, 2026, and at least once every 2 years thereafter.

7. Members of the governing body complete ethics training in accordance with Government Code 53234-53235.2 by January 1, 2026 and at least every two years thereafter

CSBA NOTE: Pursuant to Education Code 52064.5, as amended by SB 153 (Ch. 38, Statutes of 2024), if the governing body is unable to review local indicator data (data adopted by the State Board of Education (SBE) to measure school site performance in regard to specified state priorities), due to any emergency specified in Education Code 46392, the governing body is required to review such data at its next meeting of the governing body, adopt a resolution describing the emergency event and the date on which the local indicator data was reviewed, and submit the resolution to the California Department of Education (CDE).

8. If the governing body is unable to review local indicator data due to any emergency specified in Education Code 46392, the local indicator data shall be reviewed at the next meeting of the governing body, and a resolution describing the emergency event and the date on which the local indicator data was reviewed shall be adopted and submitted to CDE (Education Code 52064.5)
9. Develop a plan for offering independent study to affected students pursuant to Education Code 46393 if the governing body submits an affidavit to the Superintendent of Public Instruction (SPI) pursuant to Education Code 46392 necessitated by an emergency condition that resulted in a school closure (Education Code 46392, 46393)

CSBA NOTE: Pursuant to Education Code 215, as amended by SB 1318 (Ch. 645, Statutes of 2024), CDE is required, by July 1, 2026, to update its, "Model Youth Suicide Prevention Policy for Local Educational Agencies that Serve Kindergarten through Twelfth Grade Students," to address crisis intervention protocols in the event of a student suicide crisis. On or after July 1, 2026, the governing body is required to, during its next regularly scheduled review of its student suicide prevention policy, update its policy to include the best practices identified in CDE's updated Model Policy.

10. Adopt a policy on suicide prevention, intervention, and postvention for grades 7-12, and an age-appropriate policy for grades K-6, and review the policy at least every five years (Education Code 215)

Operations

5. 11. Not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
6. 12. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

Admission/Enrollment

7. 13. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
8. 14. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

CSBA NOTE: Education Code 56145 requires charter schools to serve students with disabilities in the same manner as other public schools. Pursuant to Education Code 47646, districts ~~must~~are required to ensure that each charter school that is deemed to be a public school of the district, and is not its own local educational agency (LEA) for special education purposes, receives an equitable share of special education funding and services for students with disabilities who are enrolled in the charter school.

If a charter school is operating as a public school of the district for purposes of special education, the district retains responsibility and ~~must~~is required to determine how to ensure that students with disabilities receive a free appropriate public education (FAPE). However,

as indicated in the California Office of Administrative Hearings ruling in *Student v. Horizon Instructional Systems Charter School*, a charter school operating as its own LEA for purposes of special education, including a charter school offering an independent study program, is the entity responsible for providing FAPE.

9. **15.** Serve students with disabilities in the same manner as such students are served in other district schools (Education Code 47646, 56145)

10. **16.** Admit all students who wish to attend the charter school, according to the following criteria and procedures:

- a. Admission to the charter school shall not be determined according to the student's or parent/guardian's place of residence within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within that school's former attendance area (Education Code 47605)

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admission preference for students who are currently enrolled in that public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

- b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, with preference extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5 (Education Code 47605)

- c. Other admission preferences may be permitted by the Board of the district on an individual school basis consistent with law

Preferences shall not result in limited enrollment access for students with disabilities, academically low-achieving students, English learners, neglected or delinquent students, students experiencing homelessness, foster youth, students who are economically disadvantaged, or on the basis of nationality, race, ethnicity, or sexual orientation. Mandatory parental volunteer hours shall not be the basis of a preference or a criterion for admission or continued enrollment. (Education Code 47605)

11. **17.** Not discourage a student from enrolling or seeking to enroll in the charter school, nor encourage a current student from disenrolling, for any reason, including, but not limited to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English learner, neglected or delinquent, experiencing homelessness, economically disadvantaged, or a foster youth

The charter school shall not request or require a student's records to be submitted before enrollment. The charter school shall post on its website the California Department of

Education's (CDE)CDE's notice of these requirements and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquires about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Education Code 47605)

12. 18. Comply with the requirements of Education Code 48850-48859 regarding enrollment, identification, and placement of students experiencing homelessness and unaccompanied youth (Education Code 48850, 48851, 48852.5, 48852.6; 42 USC 11431-11435)
13. 19. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)
14. 20. Allow a student who is enrolled in the charter school but receiving individual instruction at home or a hospital due to a temporary disability to return to the charter school when well enough to do so, provided the student returns during the school year in which the individual instruction was initiated (Education Code 48207.3)

Nondiscrimination

CSBA NOTE: Education Code 200 and 210.2, as amended by SB 1137 (Ch. 779, Statutes of 2024), provide that prohibited discrimination includes discrimination not just because of one protected class under state law, but also because of the combination of two or more protected bases.

15. 21. Not discriminate against any student on the basis of the characteristics listed in Education Code 220, or on the basis of one, or a combination of two or more protected characteristics (Education Code 200, 210.2, 47605)

CSBA NOTE: Education Code 243, as added by AB 1078 (Ch. 229, Statutes of 2023), clarifies when it is unlawful discrimination for the Board to (1) refuse to approve the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library or (2) prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library. The Board may not refuse to approve such use on the basis that the material includes a study of the role and contributions of specified individuals or groups, unless the study of the role and contributions reflects adversely upon legally protected groups. Additionally, the Board may not prohibit such use on the basis that the study of the role and contributions contain inclusive or diverse perspectives.

16. 22. Not discriminate in the use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources (Education Code 243) , including that the continued use of an adopted textbook, instructional material, supplemental instructional material, curriculum for classroom instruction or any book or other resource in a school library shall not be authorized if the use would subject a student to unlawful discrimination pursuant to Education Code 220 (Education Code 243, 244)

CSBA NOTE: Pursuant to Education Code 234.7, charter schools were mandated to adopt policies, by July 1, 2018, with language that is equivalent to the model policy language developed by the California Attorney General in "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," first published in April 2018 ("2018 Guidance"). The Attorney General updated the 2018 Guidance in December 2024 ("2024 Guidance") and has stated that charter schools "should" adopt or update their policies based on the 2024 Guidance by May 1, 2025. The 2024 Guidance is available on the Office of the Attorney General's website.

Since the legal landscape regarding a charter school's response to immigration enforcement is in flux and additional legislation is currently pending, it is recommended that charter schools consult with CSBA's District and County Office of Education Legal Service or other legal counsel when adopting this policy.

17. 23. Adopt policy that is consistent with the model policy developed by the California Attorney General addressing the charter school's response to Adopt policies equivalent to the model policy language developed by the California Attorney General pursuant to Education Code 234.7 regarding immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfillcomply with the other applicable requirements of Education Code 234.7
18. 24. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school website or on the website of the charter operator (Education Code 221.61)
19. 25. If the charter school offers competitive athletics, annually post on the school's website or on the website of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)
20. 26. Provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding
- The charter school shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students. (Education Code 222, 222.5, 46015)
21. 27. If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

CSBA NOTE: Item #22 applies to charter schools that serve high school students and participate in the California Interscholastic Federation (CIF). Pursuant to Education Code 33353, as amended by AB 1327 (Ch. 366, Statutes of 2023), a charter school is required to post on its website, on or before April 1, 2025, the standardized incident form developed by

the California Department of Education (CDE) to track racial discrimination, harassment, or hazing, that occurs at high school sporting games or events.

- 22- 28. If the charter school serves high school students and participates in the California Interscholastic Federation, post the standardized incident form developed by CDE to track racial discrimination, harassment, or hazing that occurs at high school sporting games or events on the charter school's website on or before April 1, 2025, and, upon CDE's request, submit information related to any completed standardized incident forms received by the charter school (Ed. Code 33353)

CSBA NOTE: Education Code 220.5, as added by AB 1955 (Ch. 95, Statutes of 2024), prohibits a charter school or a member of the governing body, from enacting or enforcing any policy, rule, or administrative regulation that would require an employee or a contractor to disclose any information related to a student's sexual orientation, gender identity, or gender expression to any other person without the student's consent, unless otherwise required by state or federal law. It is recommended that charter schools consult CSBA's District and County Office of Education Legal Services or other legal counsel before disclosing a student's gender identity without the student's consent.

29. A charter school or a member of the governing body, shall not enact or enforce any policy, rule, or administrative regulation that would require an employee or a contractor to disclose any information related to a student's sexual orientation, gender identity, or gender expression to any other person without the student's consent, unless otherwise required by state or federal law (Education Code 220.5)

Tuition and Fees

- 23- 30. Not charge tuition (Education Code 47605)

CSBA NOTE: Education Code 47605 specifically prohibits a charter school from charging tuition, but does not mention fees or other charges. As clarified in CDE advisory CDE's Fiscal Management Advisory 23-02, "Pupil Fees, Deposits, and Other Charges," because charter schools are subject to the California Constitution, the free school guarantee of the California Constitution, Article 9, Section 5, applies to charter schools. Charter schools may only charge fees which are explicitly authorized by law for charter schools.

Additionally, CDE's Fiscal Management Advisory 23-02, "Pupil Fees, Deposits, and Other Charges," clarifies that the prohibition under Education Code 49010-49011 applies to elective extracurricular activities, and includes costs for equipment used for extracurricular activities.

- 24- 31. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools (Education Code 49010, 49011)
- 25- 32. Not bill, nor take any negative action against, a student or former student for a debt owed to the charter school

The school shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student before pursuing payment of the debt and shall

provide a receipt to the parent/guardian for each payment made to the school. (Education Code 49014)

School Plans

CSBA NOTE: Pursuant to Education Code 52064.3, by January 31, 2025, charter schools that are identified by CDE as needing an improvement plan pursuant to 34 CFR 300.600-300.647 are required to complete an Individuals with Disabilities Education Act Addendum adopted by SBE relating to improvements in services for students with disabilities. See BP 0460 - Local Control and Accountability Plan for more information.

26. ~~33.~~ Adopt a local control and accountability plan (LCAP) and update the plan by July 1 each year, after holding a public hearing, consulting with specified stakeholders, and using the template adopted by the State Board of Education (SBE) ([Education Code 52060](#))

CSBA NOTE: Pursuant to Education Code 52064.3, by July 31, 2027, charter schools that are identified by CDE as needing an improvement plan pursuant to 34 CFR 300.600-300.647 are required to complete an Individuals with Disabilities Education Act (IDEA) Addendum adopted by SBE relating to improvements in services for students with disabilities. See BP 0460 - Local Control and Accountability Plan for more information.

27. ~~34.~~ As part of the LCAP adoption and annual update to the LCAP, the governing body of the charter school shall separately adopt a local control funding formula budget overview for parents/guardians and as appropriate, an Individuals with Disabilities Education Act Addendum, based on the templates developed by SBE (Education Code 47604.33, 47606.5, 52064, 52064.1, 52064.3)

CSBA NOTE: Pursuant to Education Code 47606.5, as amended by SB 114 (Ch. 48, Statutes of 2023), charter schools are required to present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents/guardians on or before February 28 of each year at a regularly scheduled meeting of the governing body. [Education Code 47606.5, as amended by SB 153, requires the annual update to be presented as a nonconsent item at the meeting of the governing body.](#)

28. ~~35.~~ Present a report on the annual update to the LCAP and the local control funding formula budget overview for parents/guardians on or before February 28 of each year, [as a nonconsent item](#) at a regularly scheduled meeting of the governing body of the charter school (Education Code 47606.5)

29. ~~36.~~ If the charter school applies for federal and/or state categorical program funding through the state's consolidated application, establish a school site council to develop and annually review a school plan for student achievement, unless the school chooses to use its LCAP for this purpose (Education Code 64000-64001, 65000-65001)

CSBA NOTE: Education Code 47606.5, as amended by SB 153, requires all Learning Recovery Emergency Funds received by the charter school to be included in the local control and accountability plan (LCAP)/annual update to the LCAP for the period of July 1, 2025 through June 30, 2028.

37. Include all Learning Recovery Emergency Funds received by the charter school in the LCAP/annual update to the LCAP (Education Code 47606.5)

CSBA NOTE: Education Code 32282, as amended by SB 10 (Ch. 856, Statutes of 2023), requires schools that serve students in any of grades 7-12 to include in their comprehensive safety plan a protocol in the event a student is suffering or is reasonably believed to be suffering from an opioid overdose.

Additionally, Education Code 32282, as amended by SB 323 (Ch. 599, Statutes of 2023), requires that comprehensive safety plans include adaptations for student with disabilities and that, after the first evaluation or review is conducted and after each annual evaluation, or review, a school employee, a student's parent/guardian or educational rights holder, or student may bring concerns about an individual student's ability to access the disaster safety procedures described in the comprehensive school safety plan/school safety plan to the principal.

In addition, Education Code 32282, as amended by SB 671 (Ch. 626, Statutes of 2023), also requires a charter school's safety plan to include procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, an activity sponsored by the school, or a school bus serving the school.

Pursuant to Education Code 32282, schools are required to include in their comprehensive safety plans adaptations for students with disabilities in accordance with the federal Americans with Disabilities Act, IDEA, and Section 504 of the federal Rehabilitation Act of 1973. Additionally, Education Code 32282, as amended by AB 2887 (Ch. 419, Statutes of 2024), expands comprehensive school safety plan components to include procedures for responding to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds.

Education Code 32282, as amended by AB 1858 (Ch. 530, Statutes of 2024), expands comprehensive school safety plan components to include procedures to prepare for active shooters or armed assailants and specifications that apply if active shooter and armed assailant drills are conducted.

Pursuant to Education Code 32282, as amended by SB 153 and AB 176 (Ch. 998, Statutes of 2024), charter schools are required, beginning July 1, 2025, to include in their comprehensive safety plans an instructional continuity plan with specified components to establish communication with students and their families and provide instruction to students when in-person instruction is disrupted due to an emergency.

30. 38. Develop a comprehensive safety plan in accordance with Education Code 32282 and review and update the plan in accordance with law by March 1 each year (Education Code 47605)

31. 39. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures for designating an adult chaperone, other than the driver, to accompany students on a school activity bus

~~In addition~~ Additionally, ensure that each school bus, student activity bus, youth bus, or child

care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Education Code 39831.3; Vehicle Code 28160)

Curriculum and Instruction

CSBA NOTE: Education Code 47612.5 specifies, by grade level, the minimum number of instructional minutes that must be offered each fiscal year. Any charter school that fails to meet this requirement will have its state apportionment reduced in proportion to the percentage of instructional minutes that the school fails to offer. Education Code 47612.5 and 47612.6 provide that neither the State Board of Education **SBE** nor the Superintendent of Public Instruction (**SPI**) may waive the required number of instructional minutes but may waive the fiscal penalties under specified conditions.

32. ~~40.~~ Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)

CSBA NOTE: Pursuant to Education Code 49056, as added by SB 291 (Ch. 863, Statutes of 2023), charter schools that maintain any of grades K-8 are required to provide at least one or more periods of recess that total 30 minutes on regular instructional days and at least 15 minutes on early release days, except that for any student with a disability, recess is required to be in accordance with the student's individualized education program or Section 504 plan.

33. ~~41.~~ Provide one or more periods of recess that total 30 minutes on regular instructional days and at least 15 minutes on early release days as required by law (Education Code 49056)

34. ~~42.~~ If the charter school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)

35. ~~43.~~ If the charter school serves students in any of grades 7-12, provide comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education at least once in junior high or middle school and once in high school (Education Code 51931, 51934)

36. ~~44.~~ If the charter school serves students in any of grades 6-12, identify and implement methods of informing parents/guardians of human trafficking prevention resources (Education Code 49381)

37. ~~45.~~ If the charter school serves students in middle or high school and offers one or more courses in health education, include in those courses instruction in mental health, as specified (Education Code 51925-51929)

CSBA NOTE: Education Code 51225.7, as amended by AB 2165 (Ch. 702, Statutes of 2024), requires charter schools, before exempting a student or the student's

parent/guardian from the requirement to complete and submit a Free Application For Student Financial Aid, a form for purposes of the California Dream Act, or an opt-out form permitting such forms to not be completed, to provide specified information to the student and the student's parent/guardian.

38. 46. If the charter school serves students in grade 12, comply with the requirements for student completion and submission of the Free Application for Federal Student Aid and California Dream Act Application (Education Code 51225.7, 51225.8)

CSBA NOTE: Education Code 52770, as added by AB 1173 (Ch. 11, Statutes of 2023), requires a charter school that serves students in any of grades 9-12 that is planning to hold a college or career fair, to notify each community college district that has overlapping jurisdiction of the date, time, and location of the fair, and provide an opportunity for the community college district to participate.

39. 47. If the charter school is planning to hold a college or career fair, the charter school shall notify each apprenticeship program in the same county as the charter school and each community college district that has overlapping jurisdiction with the charter school with the planned date, time, and location of the fair, and give each community college district that has overlapping jurisdiction the opportunity to participate in the college or career fair (Education Code 52770, Labor Code 3074.2)

CSBA NOTE: Pursuant to Education Code 49603, as amended by AB 1605 (Ch. 142, Statutes of 2023), charter schools offering instruction in any of grades 9-12 that provide on-campus access to employers, shall not prohibit access to the military services.

40. 48. If a charter school offers instruction in any of grades 9-12, and provides on-campus access to employers, not prohibit access to the military services (Education Code 49603)

CSBA NOTE: Education Code 47612.5 provides that charter schools offering independent study are subject to Education Code 51745-51749.6. Education Code 51745 requires that no course included among the courses required for graduation may be offered solely through independent study. However, pursuant to 5 CCR 11705, a charter school offering grades 9-12 shall be deemed to be an "alternative school" for purposes of independent study and thus, according to CDE, would comply with this provision because students in such alternative schools are enrolled voluntarily and, if they wished, could attend any other district high school in which the courses were offered via classroom instruction.

41. 49. If the charter school provides independent study, meet the requirements of Education Code 51745-51749.6, except that the school may offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

42. Develop a plan for offering independent study to affected students pursuant to Education Code 46393 if the governing body of the charter school submits an affidavit pursuant to Education Code 46392 necessitated by an emergency condition that resulted in a school closure (Education Code 46392, 46393)

CSBA NOTE: A charter school may apply to the SPI to obtain apportionment credit for days and minutes lost due to emergency closure. Education Codes 46392, as amended by SB 1429 (Ch. 477, Statutes of 2024), adds snowstorms to the list of emergencies, which

includes fire, flood, impassable roads, epidemic, earthquake, the imminence of a major safety hazard as determined by the local law enforcement agency, a strike involving transportation services to students provided by a nonschool entity or an order provided for in Education Code 41422, for which a charter school may apply to the SPI to obtain apportionment credit for days and minutes lost due to emergency closure and material decreases in attendance due to emergency events.

50. A charter school may apply to the SPI to obtain apportionment credit for days and minutes lost due to emergency closure and material decreases in attendance due to emergency events (Education Code 46392)

43. 51. Accept and provide full or partial credit for coursework satisfactorily completed by a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, student who is migratory, or a newcomer student while attending another school (Education Code 51225.2)

44. 52. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

CSBA NOTE: Education Code 51225.38, as added by AB 2429 (Ch. 67, Statutes of 2024), requires the governing body that has elected to require its students to complete a course in health education for graduation from high school to include instruction in the dangers associated with fentanyl use.

53. If the charter school serves students in high school and requires its students to complete a course in health education for graduation from high school, commencing with the 2026–27 school year, include in such course instruction in the dangers associated with fentanyl use (Education Code 51225.38)

CSBA NOTE: Education Code 48980.6, as added by AB 1796 (Ch. 143, Statutes of 2024), requires charter schools to annually notify parents/guardians of students admitted to, or advancing to, grades 7-12, of any dual enrollment or International Baccalaureate courses offered by the local educational agency.

54. At the beginning of the first semester or quarter of the regular school term, notify parents/guardians of students admitted to, or advancing to, grades 7-12, of any dual enrollment or International Baccalaureate courses offered by the charter school (Education Code 48980.6)

Special Education

45. 55. Provide assistive technology devices in a student's home or other settings if the individualized education program team determines that such access is necessary

The charter school shall also provide an assistive technology device or comparable device to a student who enrolls in another local educational agency, for two months after the student leaves the charter school or until alternative arrangements can be made, whichever occurs first. (Education Code 56040.3)

46. 56. If the charter school is an independent member of a special education local plan area and has a master contract with a nonpublic, nonsectarian school:

- a. Pay the full amount of the tuition or fees for students with disabilities enrolled in programs or services provided pursuant to that contract (Education Code 56365)
- b. Conduct at least one onsite visit to the nonpublic, nonsectarian school prior to a student's placement and at least once each school year (Education Code 56366.1)

High School Graduation

47. ~~57.~~ Exempt a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, or student who is migratory who transfers between schools after the second year of high school, or a newcomer student for newly immigrant students in grades 11-12 who is in their third or fourth year of high school, from any of the charter school's graduation requirements that exceed state requirements, unless the charter school determines that the student is reasonably able to complete the requirements by the end of the fourth year of high school (Education Code 51225.1, 51225.2)

CSBA NOTE: Pursuant to Education Code 51225.31, charter schools are required to exempt an eligible student with disabilities who entered the ninth grade in the 2022-23 school year or later, from all coursework and other requirements adopted by the governing body that are in addition to the statewide course requirements specified in Education Code 51225.3, and award such student a high school diploma.

Additionally, pursuant to Education Code 51225.32, as added by SB 153, charter schools are authorized, until July 1, 2031, to extend such exemption and award a high school diploma to an eligible student with disabilities who was enrolled in grade 10 or higher in the 2022-23 school year.

48. ~~58.~~ In accordance with Education Code 51225.31, exempt an eligible student with disabilities from all coursework and other requirements adopted by the ~~charter school board~~governing body that are in addition to the statewide course requirements specified in Education Code 51225.3, and award such student a high school diploma (Education Code 51225.31, 51225.32)
49. ~~59.~~ Grant a high school diploma to any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 51413)
50. ~~60.~~ Require students to meet the state minimum course requirements for graduation as specified in Education Code 51225.3, as well as any additional graduation requirements required by the governing body (Education Code 51225.3)

Student Expression

51. ~~61.~~ Allow a student to wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies, unless the charter school determines that an item is likely to cause a substantial disruption of, or material interference with, the ceremony (Education Code 35183.1)

CSBA NOTE: Education Code 48907 requires charter schools to establish a written "publications code" related to students' rights to freedom of speech and of the press. These written rules and regulations must include reasonable provisions for the time, place, and manner in which free expression may take place within the charter school's jurisdiction.

52. 62. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

Staffing and Professional Development

53. 63. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) as required for the teacher's certificated assignment

~~Teachers employed by the charter school during the 2019-20 school year shall have until July 1, 2025 to obtain the required certificate required.~~ (Education Code 47605, 47605.4)

54. 64. If the charter school offers transitional kindergarten (TK), require credentialed teachers first assigned to a TK class to meet one of three specified criteria establishing qualification for the position ~~by August 1, 2025~~, and to maintain adult to student ratios as specified in Education Code 48000 (Education Code 48000)

55. 65. Correct any misassignments if notified by the district that an assignment of a charter school employee is not legally authorized (Education Code 44258.9)

CSBA NOTE: Pursuant to Education Code 45125.1, as amended by SB 531 (Ch. 616, Statutes of 2023), an employee of any entity that has a contract with a charter school who offers work experience opportunities for students or workplace placements as part of a student's individualized education program is exempt from the requirement to have a valid criminal records summary if specified requirements are met.

56. 66. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the charter school contracts with an entity for specified services, verify that any employee of that entity who interacts with students outside of the immediate supervision and control of the student's parent/guardian or a school employee has a valid criminal records summary, unless an exception applies (Education Code 44830.1, 45122.1, 45125.1)

CSBA NOTE: Education Code 44841, as added by AB 2345 (Ch. 65, Statutes of 2024), prohibits hiring any person for purposes of a short-term staff permit, provisional internship permit, or a teaching permit for statutory leave, unless that person has a certification in cardiopulmonary resuscitation that meets the standards established by the American Heart Association or the American Red Cross.

67. Not hire any person for purposes of a short-term staff permit, provisional internship permit, or a teaching permit for statutory leave, unless that person has a certification in cardiopulmonary resuscitation (CPR) that meets the standards established by the American

Heart Association or the American Red Cross (Education Code 44841)

57. 68. Report to CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)
58. 69. If the charter school chooses to make the state teachers' retirement plan and/or the public employees retirement system available to its employees, meet the requirements of Education Code 47611 (Education Code 47610)
59. 70. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)
60. 71. If the charter school employs security officers and/or security officers work on the charter school campus, provide the latest course of training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs in consultation with the Commission on Peace Officer Standards and Training, as specified (Education Code 38001.5; Business and Professions Code 7583.45)

CSBA NOTE: Pursuant to Education Code 49406, as amended by SB 88 (Ch. 380, Statutes of 2023), a charter school that provides transportation to students under contract is required to have, as a condition of the contract, a tuberculosis risk assessment, and if indicated, the examination for infectious tuberculosis within 60 days of the initial hire, which may, until July 1, 2025, and at the discretion of the governing body, not be required for a private contracted driver who transports students infrequently and without prolonged contact.

61. 72. If the charter school provides transportation to students under contract, require drivers to submit and clear tuberculosis risk assessment, unless otherwise exempt by law (Education Code 49406)

CSBA NOTE: Education Code 44939.5, as amended by AB 2534 (Ch. 570, Statutes of 2024), requires charter schools when considering an applicant for a certificated position to inquire with each local educational agency that previously employed the applicant if the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were required to be reported to the Commission on Teacher Credentialing.

73. When a charter school considers an applicant for a certificated position, inquire with each local educational agency that previously employed the applicant whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were required to be reported to CTC

Additionally, when a charter school responds to an inquiry from a local educational agency considering an applicant for employment as to whether it has made a report of egregious misconduct regarding such applicant to CTC, provide the inquiring local educational agency with a copy of all relevant information within its possession that was reported to CTC. (Education Code 44939.5)

CSBA NOTE: Education Code 44691, as added by AB 1913 (Ch. 814, Statutes of 2024), requires charter schools to provide annual training to their employees on the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs.

74. As part of the annual mandated reporter training, provide training, on the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs (Education Code 44691)

Parent/Guardian Involvement

62. 75. On a regular basis, consult with parents/guardians and teachers regarding the charter school's educational programs (Education Code 47605)
63. 76. Notify parents/guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school (Education Code 47605)
64. 77. If 15 percent or more of the students at the charter school speak a single primary language other than English, provide all notices, reports, statements, or records sent to parents/guardians in English and in the primary language (Education Code 48985)

Nutrition

CSBA NOTE: Pursuant to Education Code 49501.5, as amended by SB 348 (Ch. 600, Statutes of 2023), students ~~must~~are required to be provided adequate time to eat, as determined by the charter school in consideration of the recommendations provided by CDE on or before June 30, 2025. Additionally, pursuant to Education Code 49501.5, as amended by SB 348, if a charter school offers independent study, the charter school ~~must~~is required to make available a nutritionally adequate breakfast and lunch on any school day that a student is scheduled for educational activities, as defined in Education Code 49010, lasting two or more hours, at a school site, resource center, meeting space, or other satellite facility.

65. 78. Provide a nutritionally adequate breakfast and lunch free of charge during each school day to students requesting a meal regardless of the student's free or reduced-price meal eligibility, including, if the charter school offers independent study, to a student enrolled in independent study on any school day in which the student is scheduled for in-person educational activities of two or more hours (Education Code 49501.5)

If the charter school participates in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and is a high poverty school, as defined, the charter school shall apply to operate a federal universal meal service provision, and upon approval, apply such service. (Education Code 49501.5, 49564.3)

66. 79. If the charter school participates in the NSLP or SBP, not promote any food or beverage during the school day that does not comply with state nutritional standards pursuant to Education Code 49430-49434, and not participate in a corporate incentive program that offers free or discounted non-nutritious foods or beverages as rewards for

students who reach certain academic goals (Education Code 49431.9)

Student Health

CSBA NOTE: Education Code 49431, 49431.2, 49431.5, and 49531, as amended by AB 2316 (Ch. 914, Statutes of 2024), prohibits charter schools, beginning December 31, 2027, from offering or selling, except for food items sold as part of a school fundraising event, foods containing artificial food dyes that have been linked to hyperactivity and behavioral issues in some children.

80. Not offer or sell, except for food items sold as part of a school fundraising event, foods containing foods dyes specified in Education Codes 49431, 49431.2, 49431.5, and 49531

Student Health

CSBA NOTE: Pursuant to Education Code 215, on or before January 1, 2025, charter schools must review and update their policy on student suicide prevention, and revise their training materials to incorporate best practices identified by CDE.

67. Adopt a policy on suicide prevention, intervention, and postvention for grades 7–12, and an age-appropriate policy for grades K–6, and review the policy at least every five years (Education Code 215)

CSBA NOTE: Pursuant to Education Code 49428.5, each school serving students in any of grades 6–12 is required to create a poster that identifies approaches and resources about student mental health, and prominently display such poster in public areas that are accessible to and commonly frequented by students at each school site. See BP 5141.5 - Mental Health.

68. ~~81.~~ Each charter school that serves students in any of grades 6–12 shall create and prominently display an age appropriate and culturally relevant poster that identifies approaches and resources about student mental health (Education Code 49428.5)

CSBA NOTE: Education Code 215.5, as amended by SB 1063 (Ch. 642, Statutes of 2024), requires charter schools that serve students in grades 7–12 and issue or reissue student identification cards to have printed on either side of the card the telephone number for the 988 Suicide and Crisis Lifeline and the National Suicide Prevention Lifeline (1-800-273-8255). Pursuant to Education Code 215.5, as amended by SB 1063, a charter school may have printed on the card the Crisis Text Line (texting HOME to 741741); the telephone number for campus police or security or, if the campus does not have a campus police or security telephone number, the local nonemergency telephone number; a local suicide prevention hotline telephone number; and/or a quick response (QR) code that links to the county's mental health resources website.

69. ~~82.~~ If the charter school serves grades 7–12 and issues student identification cards, print the telephone numbers of the National ~~988~~ Suicide and Crisis Lifeline, the National Suicide Prevention Lifeline and, the National Domestic Violence Hotline, and may have printed on either side of the identification card a quick response (QR) code that links to the mental health resources website of the county in which the school is located on the identification cards (Education Code 215.5)

70. 83. Notify students and parents/guardians at least twice during the school year on how to initiate access to available student mental health services on campus or in the community (Education Code 49428)

71. 84. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the charter school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)

72. 85. If the charter school offers an athletic program, annually provide information sheets about concussions/head injuries and sudden cardiac arrest to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition

In the event that an athlete is suspected of sustaining a concussion or head injury, passes out, or faints during or immediately after participation in an athletic activity, the student shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until the student is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)

CSBA NOTE: Pursuant to Education Code 35179.4, as amended by AB 1653 (Ch. 589, Statutes of 2023), if a charter school offers an interscholastic athletic program, the Board is required to have a written emergency action plan that describes the location of emergency medical equipment and procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, including concussion and heat illness. Additionally, as amended by AB 1653, the emergency action plan is required to include a description of the manner and frequency at which the procedures to be followed in the event of medical emergencies will be rehearsed.

73. 86. If the charter school offers an interscholastic athletic program, develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, including concussion and heat illness, the location of emergency medical equipment, and the rehearsal of such procedures; acquire at least one automated external defibrillator (AED) for the school; and make the AED available at on-campus athletic activities or events (Education Code 35179.4, 35179.6)

74. 87. If the charter school sponsors or hosts an on-campus event in or around a swimming pool that is not part of an interscholastic athletic program, provide for the presence of at least one adult with a valid certification of cardiopulmonary resuscitation CPR training throughout the duration of the event (Education Code 35179.6)

75. 88. Provide school nurses or other voluntary, trained personnel with emergency epinephrine auto-injectors of the type required pursuant to Education Code 49414 (Education Code 49414)

CSBA NOTE: Pursuant to Education Code 49414.3 and, as added by AB 1283 (Ch. 574, Statutes of 2023), Education Code 49414.7, the charter school is permitted to make emergency naloxone hydrochloride or other opioid antagonist and emergency stock albuterol inhalers

available for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from opioid overdose or respiratory distress.

76. 89. If the charter school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, or to make emergency stock albuterol inhalers available to persons suffering, or reasonably believed to be suffering, from respiratory distress, comply with the requirements of Education Code 49414.3 and 49414.7, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist

CSBA NOTE: Education Code 234.6, as amended by SB 939 (Ch.907, Statutes of 2024), requires charter schools to ensure the resources described below are readily accessible in a prominent location on the school's website in a manner that is easily accessible to parents/guardians and students.

90. Post resources related to neurodiversity developed by the University of California and California State University Collaborative for Neurodiversity and Learning in a prominent location on the charter school's website in a manner that is readily and easily accessible to parents/guardians and students

Student Conduct/Discipline

CSBA NOTE: Pursuant to Education Code 49056, as added by SB 291 (Ch. 863, Statutes of 2023), beginning with the 2024-2025 school year, a student may not be denied recess unless the student's participation poses an immediate threat to the physical safety of the student or to the physical safety of one or more of the student's peers. Education Code 44807.5, which authorized the Board to permit the use of recess restriction for disciplinary purposes, was repealed by SB 291.

77. 91. Prohibit the denial of recess to a student unless the student's participation poses an immediate threat to the student's physical safety or to the physical safety of one or more of the student's peers (Education Code 49056)
78. 92. Adopt a policy on bullying and cyberbullying prevention, post specified information on bullying and harassment prevention on the charter school's website, and annually make CDE's online training module on bullying prevention available to school site certificated employees and other employees who have regular interaction with students (Education Code 234.4, 234.6, 32283.5)
79. 93. Adopt and display a written policy on sexual harassment, include the policy as part of any orientation for new and continuing students, and post a poster notifying students of the policy (Education Code 231.5, 231.6)
80. 94. Prohibit seclusion and behavioral restraint of students as a means of discipline, and only use such methods to control student behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response (Education Code 49005-49006.4)

CSBA NOTE: Pursuant to Education Code 48900, as amended by SB 274 (Ch. 597, Statutes of 2023), charter schools are prohibited from suspending students enrolled in kindergarten or any of grades 1-12 for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties through July 1, 2029. Additionally, school administrators, by the end of the fifth business day, are required to inform the referring employee, verbally or in writing, of the actions taken and if none, the rationale for not providing timely interventions or supports.

81. 95. Until June 30, 2029, neither recommend for expulsion nor suspend a student in grades K-12 for disrupting school activities or otherwise willfully defying the authority of school personnel in the performance of their duties (Education Code 48901.1)

82. 96. Upon request, provide a student who is suspended for two or more days with the homework assigned during the period of suspension (Education Code 47606.2, 48913.5)

CSBA NOTE: The following item is for charter schools that serve students in middle school, junior high school, high school, or adult school and should be modified to reflect the students served by the charter school. Pursuant to Education Code 49414.6, as added by SB 997 (Ch. 872, Statutes of 2024), a charter school may not prohibit a student in middle school, junior high school, or high school, while on a school site or participating in school activities, from carrying fentanyl test strips or a federally approved opioid antagonist for the emergency treatment of persons suffering, or reasonably believed to be suffering, from an opioid overdose.

97. Not prohibit students in middle schools, junior high schools, high schools, or adult schools, while on a school site or participating in school activities, to carry fentanyl test strips or a federally approved opioid antagonist for the emergency treatment of persons suffering, or reasonably believed to be suffering, from an opioid overdose (Education Code 49414.6)

CSBA NOTE: The following item is for charter schools that serve students 12 years of age or older and is not required of charter schools that do not serve such students. Pursuant to Education Code 49414.35, as added by AB 2998 (Ch. 974, Statutes of 2024), charter schools may not prohibit students 12 years of age or older, while on a school site or participating in school activities, from carrying or administering, for the purposes of providing emergency treatment to persons who are suffering, or reasonably believed to be suffering, from an opioid overdose, a naloxone hydrochloride nasal spray or any other opioid overdose reversal medication. Students who administer such an opioid antagonist may not be held liable in a civil action or be subject to criminal prosecution due their acts or omissions, and the charter school and employees of the charter school may not be subject to professional review, liable in a civil action, or subject to criminal prosecution for a student's acts in administering an opioid antagonist, unless an act or omission of the students, employee, or charter school constitutes gross negligence or willful or wanton misconduct.

98. Not prohibit a student 12 years of age or older, while on a school site or participating in school activities, from carrying or administering, for the purposes of providing emergency treatment to persons who are suffering, or reasonably believed to be suffering, from an opioid overdose, naloxone hydrochloride or another opioid antagonist (Education Code 49414.35)

CSBA NOTE: Education Code 33317.3, as added by AB 1984 (Ch. 368, Statutes of 2024), requires, commencing with the 2026-27 school year, charter schools to provide to CDE data on

student transfers due to disciplinary reasons, including whether the student transferred to an alternative school based on a referral by the school.

99. Beginning with the 2026–27 school year, provide to CDE data on student transfers due to disciplinary reasons, including whether the student transferred to an alternative school based on a referral by the school (Education Code 33317.3)

CSBA NOTE: Pursuant to Education Code 48900, as amended by AB 2711 (Ch. 840, Statutes of 2024), students who voluntarily disclose their use of a tobacco product, controlled substance, alcohol, or an intoxicant of any kind in order to seek help through services or supports may not be suspended solely for that disclosure.

100. Not suspend students who voluntarily disclose their use of a controlled substance, alcohol, or an intoxicant of any kind in order to seek help through services or supports (Education Code 48900)

Student and Parent/Guardian Records

83. ~~101.~~ Not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians unless otherwise required to do so by state or federal law (Education Code 49076.7)

84. ~~102.~~ Upon written request, not include the directory information of a student or the personal information of a parent/guardian, as defined, in the minutes of a meeting of the governing body (Education Code 49073.2)

85. ~~103.~~ If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)

86. ~~104.~~ If the charter school serves high school students, submit to the Student Aid Commission (CSAC), for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year

However, such information shall not be submitted when students opt out or are permitted by the rules of CSAC to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

87. ~~105.~~ Upon receipt of government-issued documentation of a change of name or gender or, if such documentation is not available, upon request in accordance with the procedure in Education Code 49070, update, and reissue if requested, a former student's records to include the student's updated legal name or gender (Education Code 49062.5, 49070)

Facilities

88. ~~106.~~ Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)

- a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374
- b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government

CSBA NOTE: Pursuant to Education Code 35292.6, as amended by AB 230 (Ch. 421, Statutes of 2023), the requirement to stock an adequate supply of free menstrual products extends to grades 3-12.

89. ~~107.~~ If the charter school serves students in any of grades 3-12, stock the school's restrooms at all times with an adequate supply of menstrual products available and accessible free of cost in all women's restrooms, all-gender restrooms, and in at least one men's restroom (Education Code 35292.6)

CSBA NOTE: Education Code 17586, as added by AB 2565 (Ch. 531, Statutes of 2024), requires charter schools serving students in grades kindergarten-12 that undertake an addition, alteration, reconstruction, rehabilitation, or retrofit of a school building, to install interior locks on each door of any room with an occupancy of 5 or more persons in that school building.

108. If a charter school undertakes an addition, alteration, reconstruction, rehabilitation, or retrofit of a school building, install interior locks on each door of any room with an occupancy of five or more persons in that school building (Education Code 17586)

Finance

90. ~~109.~~ Promptly respond to all reasonable inquiries from the district, the county office of education, or the Superintendent of Public Instruction (SPI), ~~SPI~~, including, but not limited to, inquiries regarding the charter school's financial records (Education Code 47604.3)

91. ~~110.~~ Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)

92. ~~111.~~ Identify and report to the SPI any portion of the charter school's average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)

~~93.~~ **112.** Annually prepare and submit financial reports to the Board and the County Superintendent in accordance with the following reporting cycle:

- a. By July 1, a preliminary budget for the current fiscal year

For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)

- b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31 (Education Code 47604.33)

- c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31 (Education Code 47604.33)

- d. By September 15, a final unaudited report for the full prior year

The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)

- e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit

The audit report shall also be submitted to the State Controller and CDE. (Education Code 47605)

~~94.~~ **113.** If the charter school receives state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30), annually report a detailed list of all expenditures of state funds, and of the school's matching funds for completed projects, and submit an audit of completed facilities projects within one year of project completion (Education Code 41024)

Accountability

~~95.~~ **114.** Annually adopt a school accountability report card (Education Code 33126, 47612; California Constitution, Article 16, Section 8.5)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

State	Description
5 CCR 11700-11705	Independent study
5 CCR 11960-11969.10	Charter schools
5 CCR 4600-4670	Uniform complaint procedures
Bus. And Prof. Code 7583.45	Training for security officers
CA Constitution Article 16, Section 8.5	Public finance; school accountability report card
CA Constitution Article 9, Section 5	Common school system
Corp. Code 5110-6910	Nonprofit public benefit corporations
Ed. Code 1006	Prohibition against school district employees serving on county board of education
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17365-17374	Field Act; fitness for occupancy; liability of board members
<u>Ed. Code 200</u>	<u>Nondiscrimination declaration of purpose</u>
<u>Ed. Code 210.2</u>	<u>Educational equity definition</u>
Ed. Code 215	Suicide prevention policies
Ed. Code 215.5	Student identification cards; inclusion of safety hotlines
Ed. Code 220	Prohibition of discrimination
<u>Ed. Code 220.5</u>	<u>Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression</u>
Ed. Code 221.61	Posting of Title IX information on website
Ed. Code 221.9	Sex equity in competitive athletics
Ed. Code 222	Reasonable accommodations; lactating students
Ed. Code 222.5	Pregnant and parenting students; notification of rights
Ed. Code 231.5	Sexual harassment policy
Ed. Code 234.4	Mandated policy on bullying prevention
Ed. Code 234.6	Bullying and harassment prevention information
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 243	Prohibition of discrimination; instructional materials
<u>Ed. Code 244</u>	<u>Prohibition of discrimination; instructional materials adoption</u>
<u>Ed. Code 17586</u>	<u>Interior locks on buildings</u>

Ed. Code 32280-32289.5	School safety plans
Ed. Code 32283.5	Bullying; online training
<u>Ed. Code 33317.3</u>	<u>Student transfer reporting</u>
Ed. Code 33353	California Interscholastic Federation; standardized incident form
<u>Ed. Code 33355</u>	<u>Extreme weather protocols</u>
Ed. Code 33479-33479.9	The Eric Parades Sudden Cardiac Arrest Prevention Act
<u>Ed. Code 35012</u>	<u>Student board member participation in expulsion hearings</u>
Ed. Code 35120	Student board membership
Ed. Code 35179.4-35179.6	Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program
Ed. Code 35183.1	Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
Ed. Code 35292.6	Stocking of menstrual products
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 38001.5	Training for security officers
Ed. Code 38080-38086	School meals
Ed. Code 39831.3	Transportation safety plan
Ed. Code 39843	Disciplinary action against bus driver; report to Department of Motor Vehicles
Ed. Code 41024	Report of expenditure of state facility funds
Ed. Code 42100	Annual statement of receipts and expenditures
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44237	Criminal record summary
<u>Ed. Code 44238.9</u>	<u>District oversight</u>
Ed. Code 44691	Information on detection of child abuse; annual training
Ed. Code 44830.1	Certificated employees; conviction of a violent or serious felony
<u>Ed. Code 44841</u>	<u>CPR certification</u>
<u>Ed. Code 44939.5</u>	<u>Certificated applicant screening</u>
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 46015	Accommodations for pregnant and parenting pupils

Ed. Code 46015	Accommodations for pregnant and parenting students; parental leave
<u>Ed. Code 46300</u>	<u>Transitional kindergarten and kindergarten students in attendance calculation</u>
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 47600-47616.7	Charter Schools Act of 1992
Ed. Code 47634.2	Nonclassroom-based instruction
Ed. Code 47640-47647	Special education funding for charter schools
Ed. Code 47651	Apportionment of funds; charter schools
Ed. Code 48000	Minimum age of admission for kindergarten; transitional kindergarten
Ed. Code 48010	Minimum age of admission to first grade
Ed. Code 48206.3-48208	Students with temporary disabilities; individual instruction
Ed. Code 48850-48859	Students in foster care and students experiencing homelessness
Ed. Code 48850-48859	Education of foster youth and homeless students
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 48901.1	Suspension and expulsion; willful defiance
<u>Ed. Code 48901.7</u>	<u>Smartphone policy</u>
<u>Ed. Code 48901.8</u>	<u>Social media policy</u>
Ed. Code 48907	Exercise of free expression; time, place, and manner rules and regulations
Ed. Code 48913.5	Suspended students; homework assignments
Ed. Code 48950	Speech and other communication
<u>Ed. Code 48980.6</u>	<u>Dual enrollment offerings notification</u>
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49005-49006.4	Seclusion and restraint
Ed. Code 49010	Student fees
Ed. Code 49011	Student fees; definition
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49061	Definitions; directory information
Ed. Code 49062.5	Student records; name or gender change
Ed. Code 49070	Challenging student records

Ed. Code 49073.2	Privacy of student and parent/guardian personal information; minutes of board meeting
Ed. Code 49076.7	Student records; data privacy; social security numbers
Ed. Code 49110	Authority to issue work permits
Ed. Code 49381	Human trafficking prevention
Ed. Code 49406	TB risk assessment
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
<u>Ed. Code 49400-49417</u>	<u>Student health; General powers of school boards</u>
Ed. Code 49428	Notification of mental health services
Ed. Code 49428.5	Employment of medical personnel
Ed. Code 49430-49434	The Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49431.9	Prohibition of advertisement of non-nutritious foods
Ed. Code 49475	Health and safety; concussions and head injuries
Ed. Code 49501.5	Free breakfast and lunch to all students
<u>Ed. Code 49531</u>	<u>Food dyes prohibition</u>
Ed. Code 49550-49564.5	Meals for needy students
Ed. Code 49557.5	Child Hunger Prevention and Fair Treatment Act of 2017
Ed. Code 49564.3	Provision of federal universal meal service
Ed. Code 49603	On campus access to employers and military services
Ed. Code 49700-49701	Education of children of military families
Ed. Code 51224.7	Mathematics placement policy
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
Ed. Code 51225.3	High school graduation requirements
<u>Ed. Code 51225.31</u>	<u>Graduation exemption for students with disabilities</u>
<u>Ed. Code 51225.32</u>	<u>Graduation requirements for students with disabilities</u>
<u>Ed. Code 51225.38</u>	<u>Dangers associated with fentanyl</u>
Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation; districts that require health education for graduation
Ed. Code 51225.7-51225.8	Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application

Ed. Code 51413	Diploma of graduation without passage of high school exit examination
Ed. Code 51744-51749.6	Independent study
Ed. Code 51925-51929	Mandatory mental health education
Ed. Code 51930-51939	California Healthy Youth Act
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Uniform complaint procedures
Ed. Code 52770	College and career fairs; community college districts
<u>Ed. Code 53234-53235.2</u>	<u>Ethics training for governing body</u>
Ed. Code 52770	College and career fairs
Ed. Code 56026	Special education
Ed. Code 56040.3	Availability of assistive technology device
<u>Ed. Code 56040.6</u>	<u>Deaf, hard of hearing student considerations</u>
Ed. Code 56145-56146	Special education services in charter schools
Ed. Code 56365-56366.12	Nonpublic, nonsectarian schools
Ed. Code 56521.1-56521.2	Emergency Interventions
Ed. Code 60600-60649	Assessment of academic achievement
<u>Ed. Code 60900</u>	<u>Charter school closure</u>
Ed. Code 64000	Categorical programs included in consolidated application
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 65000-65001	School site councils
Ed. Code 69432.9-69432.92	Cal Grant program; notification of grade point average and high school graduation
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3555-3559	Public employee communication, information and orientation
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 81000-91014	Political Reform Act
H&S Code 104420	Tobacco Use Prevention Education grant program

H&S Code 104559	Tobacco-free schools
Lab. Code 1198.5	Personnel records related to performance and grievance
Lab. Code 3074.2	College and career fairs; notice to apprenticeship programs
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system
Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6311	State plan
20 USC 7221-7221j	Charter schools
34 CFR 200.1-200.78	Accountability
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
Management Resources	Description
Attorney General Opinion	104 Ops.Cal.Atty.Gen. 66 (2021)
Attorney General Opinion	101 Ops.Cal.Atty.Gen. 92 (2018)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 297 (1995)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 166 (2006)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 52 (1997)
CA Office of Administrative Hearings Decisions	Student v. Horizon Instructional Systems Charter School (2012) OAH Case No. 2011060763
<u>California Attorney General</u>	<u>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, December 2024</u> (https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf)
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
California Department of Education Publication	California School Accounting Manual
<u>California Department of Education Publication</u>	<u>Model Youth Suicide Prevention Policy for Local Educational Agencies that Serve Kindergarten through Twelfth Grade Students</u> https://www.cde.ca.gov/ls/mh/documents/modelpolicy.docx

California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 23-02, November 2023 https://www.cde.ca.gov/re/lr/fm/documents/fma2302.pdf
California Dept. of Pesticide Reg. Publication	School District Integrated Pest Management Plan Template https://www.cdpr.ca.gov/wp-content/uploads/2024/08/hsa-school-district-ipm-plan.pdf
California Interscholastic Federation Publication	Pursuing Victory with Honor, 1999
Court Decision	Ridgecrest Charter School v. Sierra Sands Unified School District (2005) 130 Cal.App.4th 986
CSBA Publication	Charter Schools: A Guide for Governance Teams, rev. 2021
CSBA Publication	Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017 https://www.csba.org/CharterSchoolsOversight
CSBA Publication	Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018 https://www.csba.org/unchartedwaters
Multi-Agency Charter SATF's Publication	Audit Best Practices for Detecting and Curtailing Charter School Fraud, September 2024 https://www.sco.ca.gov/Files-EO/charter-school-audits-task-force-final-report.pdf
U.S. DOE Guidance	Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014 https://www.ed.gov/media/document/title-v-part-b-nonregulatory-guidance-charter-schools-program-january-2014-16985.pdf
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Agriculture
Website	National Suicide Prevention Lifeline
Website	National Domestic Violence Hotline
Website	California State Teachers Retirement System
Website	California Public Employees Retirement System
Website	California Department of General Services, Office of Administrative Hearings
Website	California Commission on Teacher Credentialing
Website	California Commission on Peace Officer Standards and Training

Website	California Bureau of Security and Investigative Services
Website	California Department of Pesticide Regulation
Website	California State Controller
Website	California Student Aid Commission
Website	National Association of Charter School Authorizers
Website	California Charter Schools Association
Website	California Department of Education, Charter Schools
Website	California Interscholastic Federation
Website	California Office of the Attorney General
Website	CSBA
Website	U.S. Department of Education

Cross References

Code	Description
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.42	Charter School Renewal
0420.43	Charter School Revocation
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1431	Waivers
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
7160	Charter School Facilities
7160	Charter School Facilities

Policy 0440: District Technology Plan

Status: ADOPTED

Original Adopted Date: 06/01/1995 | Last Revised Date: 12/06/01/2014/2025 | Last Reviewed Date: 12/06/01/2014/2025

CSBA NOTE: The following optional policy may be revised to reflect district practice. Although State law previously required districts to adopt a technology plan is no longer as a precondition for certain state technology grant programs due to the self-repeal of Education Code 51870-51871.5, the California Department of Education (CDE), in its California K-12 Education Technology Plan Template, Criteria, and Guiding Questions, strongly encourages districts to develop and have a comprehensive funding. Although that requirement no longer exists, many districts continue to utilize technology plan approved by plans, and the importance of technology plans is likely to grow with the expanding use of artificial intelligence (AI). For more information regarding the Governing Board or district administration. In developing or revising a plan, districts may use the use of AI, see BP 0441 - Artificial Intelligence, BP/E(1) 4040 - Employee Use of Technology, BP 5131.9 - Academic Honesty, and BP/E(1) 6163.4 - Student Use of Technology Plan Builder available on the CDE's web site.

Pursuant to 20 USC 7119, districts that receive funds under the federal Student Support and Academic Enrichment grant program (20 USC 7101-7122) must are required to use a portion of those funds to improve the use of technology in order to improve the academic achievement and digital literacy of all students. Such funds may be expended for the purposes specified in 20 USC 7119, with no more than 15 percent being used to purchase technology infrastructure. For districts or consortia that receive grants of \$30,000 or more, such expenditures must are required to be aligned with a needs assessment conducted pursuant to 20 USC 7116.

The Governing Board recognizes that technological resources, including resources that utilize artificial intelligence (AI), can enhance student achievement by increasing student access to information, supporting teacher effectiveness, and facilitating the administration of student assessments. Effective use of technology can also increase the efficiency of the district's noninstructional operations and governance. However, the Board also recognizes the potential for technological resources to undermine student achievement, health, and well-being.

The Superintendent shall ensure that technological resources provided to students and staff be aligned to district goals, objectives, and academic standards and shall be used in a safe and responsible manner. Students and staff shall be allowed to use such technology in accordance with district policies, including, but not limited to, policies on AI, academic honesty, data privacy, nondiscrimination, copyright protections, student use of technology, and employee use of technology.

CSBA NOTE: The CDE's California K-12 Education Technology Plan Template, Criteria, and Guiding Questions recommends that the district's technology plan describe the district's use of technology for a three-year period, as provided below. The following paragraph may be revised to reflect district practice.

The Superintendent or designee shall develop, for Board approval and regularly propose revisions to, a comprehensive ~~three-year~~ technology plan based on an assessment of current uses of technology in the district and an identification of future needs, which shall be submitted to the Board for consideration and approval. The Superintendent or designee may appoint an advisory committee consisting of a variety of staff and community stakeholders to assist with the development of the technology plan.

CSBA NOTE: The following list should be revised to reflect district practice.

The district's technology plan shall include, but not be limited to, the following:

1. What technological resources will be utilized by the district
2. How these technological resources will be equitably accessible to all students and staff and to all schools
3. How these technological resources will be used to improve educational services
4. What professional development opportunities or materials regarding these technological resources will be made available to staff
5. How AI may be used by students and staff in accordance with Board Policy 0441 – Artificial Intelligence, Board Policy/Exhibit (1) 4040 – Employee Use Of Technology, Board Policy 5131.9 – Academic Honesty, and Board Policy/Exhibit (1) 6163.4 – Student Use Of Technology

CSBA NOTE: Education Code 48985.5, as amended by AB 2690 (Ch. 241, Statutes of 2024), requires districts, at the beginning of the first semester or quarter of the regular school year, to annually inform parents/guardians about the risk of social media being used as a way to market and sell synthetic drugs.

Pursuant to Education Code 48901.8, as added by SB 1283 (Ch. 891, Statutes of 2024), Governing Boards are authorized to limit or prohibit student use of social media when students are at a school site or while the students are under the supervision and control of an employee or employees of that district.

47 USC 223, as amended by the TAKE IT DOWN Act of 2025 (P.L. 119-12), imposes criminal

penalties for creating and posting AI-generated deepfakes, as well as for threatening to post intimate images without consent, and empowers the Federal Trade Commission to hold social media platforms accountable to remove such images.

6. How students will acquire the knowledge and skills sufficient for digital citizenship, social media and AI literacy, and identifying online misinformation

CSBA NOTE: Pursuant to Government Code 8586.5, the California Cybersecurity Integration Center (CSIC) serves as the central organizing hub of the state government's cybersecurity preparedness and response activities and coordinates cyber intelligence and information sharing, and is required to coordinate information sharing, including cyber threat information, with school districts.

Government Code 11549.3 authorizes districts, at district expense, to request the Military Department, in consultation with CSIC, to perform an independent security assessment of the district or individual district school. Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' website.

Pursuant to Education Code 35266, districts that experience a cyberattack, as defined, which impacts more than 500 students or personnel, are required to report such cyberattack to CSIC.

7. How the district will prevent and respond to cyberattacks, address other cybersecurity concerns, and what steps students and staff can take to enhance security of the systems they use

The The district's technology plan shall be integrated into the district's vision and goals for student learning and shall contain research-based strategies and methods for the effective use of technology. When required for state or federal grant programs in which the district participates, the plan shall also address all components required for receipt of such grants.

The Superintendent or designee shall ensure that any use of technological resources in the district protects the private and confidential information of students and employees in accordance with law.

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

State

Bus. and Prof. Code 22584-22585

Civ. Code 3120-3123

Ed. Code 10550-10555

Ed. Code 11800

Ed. Code 35266

Ed. Code 48901.8

Ed. Code 48985.5

Ed. Code 49060-49085

Ed. Code 51006

Ed. Code 51007

Ed. Code 51865

Ed. Code 60010

Gov. Code 11549.3

Gov. Code 8586.5

Pen. Code 502

Federal

16 CFR Part 312

20 USC 1232g

20 USC 1232h

20 USC 7101-7122

47 U.S.C. 223

34 CFR Part 99

47 CFR 54.500-54.523

47 USC 254

Management Resources

Description

~~K-12 Pupil~~Student Online Personal Information Protection Act

Digital Bill of Rights

Telecommunications standards

K-12 High Speed Network grant program

Cybersecurity

Social media; limitations or prohibitions

Fentanyl and synthetic drugs danger notification

Student records

Computer education and resources

Programs to strengthen technological skills

California distance learning policy

Instructional materials; definition

Office of Information Security

Office of Emergency Services; California Cybersecurity Information Center

Computer crimes; remedies

Description

Children's Online Privacy Protection Rule

Family Educational Rights and Privacy Act (FERPA) of 1974

Privacy rights

Student Support and Academic Enrichment Grants

Use of technology in obscene or harassing manner

Family Educational Rights and Privacy

Universal service support for schools

Universal service discounts (E-rate)

Description

California Department of Education Publication	Empowering Learning: A Blueprint for California Education Technology 2014-2017, April 2014
California Department of Education Publication	California K-12 Education Technology Plan Template, Criteria, and Guiding Questions, November 2015
Court Decision	McMahon v. Albany Unified School District (2002) 104 Cal.App.4th 1275
Website	CSBA District and County Office of Education Legal Services
Website	Technology Information Center for Administrative Leadership
Website	California Cybersecurity Integration Center
Website	California Department of Education, Education Technology Office
Website	California Educational Technology Professionals Association
Website	California Office of Emergency Services
Website	Computer-Using Educators
Website	Federal Communications Commission
Website	CSBA

Cross References

Code	Description
0000	Vision
0200	Goals For The School District
0400	Comprehensive Plans
0415	Equity
0441	Artificial Intelligence
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
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
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1340	Access To District Records
1340	Access To District Records
3100	Budget
3100	Budget
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
3311.4	Procurement Of Technological Equipment
3312	Contracts
3512	Equipment
3512-E(1)	Equipment
3580	District Records
3580	District Records
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4112.6	Personnel Files
4131	Staff Development
4212.6	Personnel Files
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4231	Staff Development
4312.6	Personnel Files
4331	Staff Development
5125	Student Records
5125	Student Records

5131	Conduct
5131.2	Bullying
5131.2	Bullying
<u>5131.9</u>	<u>Academic Honesty</u>
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.6	Visual And Performing Arts Education
6142.92	Mathematics Instruction
6142.93	Science Instruction
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
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6162.54	Test Integrity/Test Preparation
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.1	Library Media Centers
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6178	Career Technical Education
6178	Career Technical Education
6200	Adult Education
6200	Adult Education
7000	Concepts And Roles
7214	General Obligation Bonds
7214	General Obligation Bonds
9140	Board Representatives

Regulation 0440: District Technology Plan

Status: ADOPTED

Original Adopted Date: 06/01/1995 | Last Revised Date: 06/01/2025 12/01/2014 | Last
Reviewed Date: 06/01/2025 12/01/2014

CSBA NOTE: Items #1-5 below reflect components of education technology plans recommended in the California Department of Education's (CDE) California K-12 Education Technology Plan Template, Criteria, and Guiding Questions, available on its web site, and may be revised to reflect district practice.

The district's technology plan shall address, at a minimum, the following components:

1. Background Information: A guide to the district's use of technology for the next three years, including:
 - a. Specific starting and ending dates of the plan
 - b. An overview of the district's location and demographics
 - c. A description of how stakeholders from the district and community were involved in the planning process
 - d. A description of the relevant research behind the strategies and/or methods in the plan and how the research supports the plan's curricular and professional development goals
2. Curriculum: Clear goals and realistic strategies for using telecommunications and information technology to improve educational services, including:
 - a. A description of teachers' and students' current access to instructional technology and current use of digital tools, including district policies or practices to ensure equitable technology access for all students
 - b. Goals and an implementation plan, including annual activities, for:
 - i. How technology will be used to improve teaching and learning, how these goals align with district curricular goals and other plans, how the district budget and local control and accountability plan support these goals, and whether future funding proposals or partnerships may be needed for successful implementation
 - ii. How and when students will acquire the technology skills and information literacy skills needed for college and career readiness
 - iii. Internet safety and the appropriate and ethical use of technology in the classroom

3. Professional Development: A professional development strategy to ensure that staff understands how to use new technologies to improve education services, including:
 - a. A summary of teachers' and administrators' current technology proficiency and integration skills and needs for professional development
 - b. Goals and an implementation plan, including annual activities, for providing professional development opportunities based on district needs assessment data and the curriculum component of the technology plan
4. Infrastructure, Hardware, Technical Support, Software, and Asset Management: An assessment of the telecommunication services, hardware, software, asset management, and other services that will be needed to improve education services, including:
 - a. A description of existing hardware, Internet access, electronic learning resources, technical support, and asset management in the district
 - b. A description of technology hardware, electronic learning resources, networking and telecommunications infrastructure, physical plant modifications, technical support, and asset management needed by district teachers, students, and administrators to support the activities in the curriculum and professional development components of the plan
5. Monitoring and Evaluation: An evaluation process that enables the school to monitor progress toward the specific goals and mid-course corrections in response to new developments and opportunities as they arise, including:
 - a. The process for evaluating the plan's overall progress and impact on teaching and learning
 - b. The schedule for evaluating the effect of plan implementation and a description of the process and frequency of communicating evaluation results to technology plan stakeholders

CSBA NOTE: Items #6-7 below may be revised to reflect district practice.

Among the technological tools available to facilitate governance and management are CSBA's GAMUT Online, a service which provides online access to CSBA's sample board policies as well as the hosting of the district's local policies. In addition, CSBA offers GAMUT Meetings, a service that allows development of and access to Governing Board meeting agendas and materials from any computer with Internet access.

6. Noninstructional Uses of Technology: A description of how technology will be used to improve district governance, district and school-site administration, support services, and communications
7. Cost: An estimate of the cost for each year of the plan and each of its major components

Policy 0441: Artificial Intelligence

Status: ADOPTED

Original Adopted Date: 06/01/2025 | **Last Revised Date:** 06/01/2025 | **Last Reviewed Date:** 06/01/2025

CSBA NOTE: This policy addresses the use of artificial intelligence (AI) in a district by students and staff and may be modified to reflect district practice.

In 2024, CSBA formed an Artificial Intelligence Task Force to equip Governing Boards with the necessary knowledge and tools to navigate the complexities of AI. Boards are encouraged to utilize the resources produced by the Task Force when modifying this policy to reflect district practice.

Pursuant to Education Code 33328.5, as added by SB 1288 (Ch. 893, Statutes of 2024), the Superintendent of Public Instruction is required to convene a working group related to AI in public schools in order to develop guidance on the safe use of AI in education and, subsequently, to develop a model policy on the safe and effective use of AI. Districts are encouraged to continue to monitor the development of new AI technologies.

The Governing Board recognizes the transformative potential of artificial intelligence (AI) to increase student access to information, support teacher effectiveness, and facilitate the administration of student assessments, as well as the potential for AI to undermine student achievement, health, and well-being. Therefore, the Board is committed to supporting the use of AI by students and staff in accordance with the following principles:

1. **Student-Centered:** AI should be used to personalize and enhance the learning experience for each student and to support digital citizenship and literacy
2. **Staff-Centered:** AI should be used as a tool to augment and support, rather than replace, staff in the performance of their duties and responsibilities
3. **Ethical Use and Transparency:** AI should be used ethically and transparently by all staff and students, with careful consideration of potential biases, and in compliance with all applicable intellectual property and copyright laws
4. **Accountability and Responsibility:** AI should be used in a manner that ensures accountability by those who use it and that those who use it are responsible for such use, including when and how it is used
5. **Equity and Access:** AI should be implemented in a manner that ensures equitable access and opportunity for all students, regardless of background or ability, and for all schools across the district
6. **Secure and Private:** The district should prioritize security and privacy when changing existing practices or adopting new practices regarding AI

7. **Professional Development:** The district should provide ongoing professional development for staff in all aspects of AI, with a particular focus on the ethical and responsible use of AI
8. **Community Engagement:** The district should engage with the community to share these principles, to educate the community on AI, and to discuss the permitted and prohibited uses of AI in the district
9. **Continuous Improvement:** The district should regularly evaluate the use of AI by students and staff, and adapt its policies, procedures, and professional development to align with best practices and evolving technologies

The Superintendent shall ensure that the use of AI in the district is consistent with this policy, Board Policy 0440 – District Technology Plan, Board Policy/Exhibit (1) 4040 – Employee Use of Technology, Board Policy 5131.9 – Academic Honesty, Board Policy 6154 – Homework/Makeup Work, Board Policy 6162.5 – Student Assessment, and Board Policy/Exhibit (1) 6163.4 – Student Use of Technology.

Artificial intelligence means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer, from the input it receives, how to generate outputs that can influence physical or virtual environments. (Education Code 33328.5)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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State

Bus. and Prof. Code 22584-22585

Ed. Code 10550-10555

Ed. Code 11800

Ed. Code 33328.5

Ed. Code 49060-49085

Ed. Code 51006

Ed. Code 51007

Ed. Code 51865

Ed. Code 60010

Pen. Code 502

Federal

Description

[Student Online Personal Information Protection Act](#)

[Telecommunications standards](#)

[K-12 High Speed Network grant program](#)

Statewide AI Task Force

[Student records](#)

[Computer education and resources](#)

[Programs to strengthen technological skills](#)

[California distance learning policy](#)

[Instructional materials; definition](#)

[Computer crimes; remedies](#)

Description

16 CFR Part 312

20 USC 1232g

20 USC 1232h

20 USC 7101-7122

34 CFR Part 99

47 CFR 54.500-54.523

47 USC 254

Management Resources

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Cross References

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0400

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0460

0500

1113

[Children's Online Privacy Protection Rule](#)

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

[Privacy rights](#)

[Student Support and Academic Enrichment Grants](#)

[Family Educational Rights and Privacy](#)

[Universal service support for schools](#)

[Universal service discounts \(E-rate\)](#)

Description

[CSBA District and County Office of Education Legal Services](#)

[Technology Information Center for Administrative Leadership](#)

[California Department of Education, Education Technology](#)

[California Department of Education, Learning With IA, Learning About AI](#)

[California IT in Educational \(CITE\)](#)

[Computer-Using Educators \(CUE\)](#)

[Federal Communications Commission Cybersecurity Resource Recommendations](#)

[U.S. Congress Bipartisan House Task Force Report on Artificial Intelligence](#)

[CSBA](#)

[CSBA AI Task Force](#)

Description

[Vision](#)

[Goals For The School District](#)

[Comprehensive Plans](#)

[Equity](#)

[District Technology Plan](#)

[District Technology Plan](#)

[Local Control And Accountability Plan](#)

[Local Control And Accountability Plan](#)

[Accountability](#)

[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
1340	Access To District Records
1340	Access To District Records
3100	Budget
3100	Budget
3260	Fees And Charges
3260	Fees And Charges
3311.4	Procurement Of Technological Equipment
3312	Contracts
3512	Equipment
3512-E(1)	Equipment
3580	District Records
3580	District Records
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4112.6	Personnel Files
4131	Staff Development
4212.6	Personnel Files
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4231	Staff Development
4312.6	Personnel Files
4331	Staff Development
5125	Student Records
5125	Student Records
5131	Conduct
5131.2	Bullying
5131.2	Bullying

6141	<u>Curriculum Development And Evaluation</u>
6141	<u>Curriculum Development And Evaluation</u>
6142.6	<u>Visual And Performing Arts Education</u>
6142.92	<u>Mathematics Instruction</u>
6142.93	<u>Science Instruction</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E(1)	<u>Selection And Evaluation Of Instructional Materials</u>
6162.51	<u>State Academic Achievement Tests</u>
6162.51	<u>State Academic Achievement Tests</u>
6162.54	<u>Test Integrity/Test Preparation</u>
6162.6	<u>Use Of Copyrighted Materials</u>
6162.6	<u>Use Of Copyrighted Materials</u>
6163.1	<u>Library Media Centers</u>
6163.4	<u>Student Use Of Technology</u>
6163.4-E(1)	<u>Student Use Of Technology</u>
6178	<u>Career Technical Education</u>
6178	<u>Career Technical Education</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>

Policy 0450: Comprehensive Safety Plan

Status: ADOPTED

Original Adopted Date: 11/01/2011 | Last Revised Date: 03/06/01/2024/2025 | Last Reviewed
Date: 03/06/01/2024/2025

CSBA NOTE: The following policy is optional and may be revised to reflect district practice.

Pursuant to Education Code 32280-32289.5, districts are responsible for ensuring that a comprehensive school safety plan (CSSP) with specified components is in place for each district school. As required by Education Code 32282 and 32288, the California Department of Education (CDE) has posted on its website a compliance checklist for developing comprehensive safety plans CSSPs and best practices for reviewing and approving the plans. Comprehensive safety plans CSSPs are reviewed through the annual audits required by Education Code 41020 to ensure that they are updated and approved by March 1 of each year.

Additionally, Education Code 32280.5, as added by AB 960 (Ch. 528, Statutes of 2024), encourages each school with an enrollment of 100 students or more to, on or before, July 1, 2030, implement a web-based or app-based school safety program that includes specified components.

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for staff and student conduct, responsible behavior, and respect for others.

CSBA NOTE: Pursuant to Education Code 32281 and 32286, each school is required to adopt a comprehensive safety plan CSSP (Option 1 below). However, districts with an average daily attendance (ADA) of 2,500 or less are authorized by Education Code 32281 to develop a districtwide comprehensive safety plan in lieu of developing school plans; thus, those districts may select either Option 1 or 2 to reflect district practice. Any district may choose to develop both district and school plans.

OPTION 1: (Districts with more than 2,500 ADA, and districts with 2,500 or less ADA that choose to develop school site plans)

The school site council at each district school shall develop a comprehensive school safety plan (CSSP) relevant to the needs and resources of that particular school. New school campuses shall develop a comprehensive safety plan CSSP within one year of initiating operations. (Education Code 32281, 32286)

The comprehensive school safety plan CSSP shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the school site.

OPTION 1 ENDS HERE

OPTION 2: (Districts with 2,500 or less ADA that choose to develop a districtwide plan)

The Superintendent or designee shall ~~oversee~~ be responsible for the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281)

OPTION 2 ENDS HERE

CSBA NOTE: The following two paragraphs apply to all districts. Education Code 32286 requires that the school site council review and update the ~~comprehensive safety plan~~ CSSP by March 1 of each year. In districts with ADA of 2,500 or less that choose to develop a districtwide plan in accordance with Option 2 above, the Superintendent or designee may conduct the annual review.

Pursuant to Education Code 32288, the updated plan(s) must be submitted to the Governing Board for approval. The Board may choose to delegate to the Superintendent or designee the responsibility to review and approve the updated plans, but the Board remains responsible for ensuring compliance with the law.

The ~~comprehensive safety plan~~ CSSP(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

CSBA NOTE: Pursuant to Education Code 32282, as amended by SB 323 (Ch. 599, Statutes of 2023), the annual evaluation of the ~~comprehensive safety plan~~ CSSP is required to include ensuring that the plan provides appropriate adaptations for students with disabilities.

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

CSBA NOTE: The following paragraph is optional and may be revised to reflect district practice. Education Code 32280 states the legislative intent that all school staff be trained on the CSSP.

As necessary, the Superintendent or designee shall provide CSSP training to all school staff.

CSBA NOTE: Education Code 32288 requires that districts notify CDE if a school has not complied with the ~~comprehensive safety plan~~ CSSP requirements. In the event that the Superintendent of Public Instruction determines that there has been a willful failure by a district to make any report required by Education Code 32280-32289, Education Code 32287 provides that the district may be fined up to \$2,000.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education (CDE) of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

Tactical Response Plan

CSBA NOTE: The following section is optional. Pursuant to Education Code 32281, the Board may, after consulting with law enforcement officials, elect to have the district, rather than the school site council, develop those portions of the comprehensive safety plan **CSSP** that include tactical responses to criminal incidents that may result in death or serious bodily injury.

Notwithstanding the process described above, any portion of a comprehensive safety plan **CSSP** that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to safeguard students and staff, secure affected school premises, and apprehend criminal perpetrator(s), shall be developed by the Superintendent or designee in accordance with Education Code 32281. In developing such strategies, the Superintendent or designee shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials and approve the tactical response plan, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

Safety Plan(s) Access and Reporting

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

CSBA NOTE: The following paragraph is optional. Pursuant to Education Code 32281, the Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents.

However, those portions of the comprehensive safety plan **CSSP** that include tactical responses to criminal incidents need not be publicly disclosed.

The Superintendent or designee shall share the comprehensive safety plans **CSSPs** and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

CSBA NOTE: Pursuant to Education Code 32289.5, the district is required to provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools, as specified. The Superintendent or designee shall also provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools in accordance with Education Code 32289.5. (Education Code 32289.5)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

State	Description
5 CCR 11987-11987.7	School Community Violence Prevention Program requirements
5 CCR 11992-11993	Persistently dangerous schools; definition
CA Constitution Article 1, Section 28	Right to Safe Schools
Ed. Code 200-270	Prohibition of discrimination
Ed. Code 32260-32262	Interagency School Safety Demonstration Act of 1985
Ed. Code 32270	School safety cadre
Ed. Code 32280-32289.5	School safety plans
Ed. Code 32290	Safety devices
Ed. Code 35147	School site councils and advisory committees
Ed. Code 35183	School dress code; uniforms
Ed. Code 35266	Reporting of cyber attacks <u>cyberattacks</u>
Ed. Code 35291	Rules
Ed. Code 35291.5	School-adopted discipline rules
Ed. Code 41020	Requirement for annual audit
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49079	Notification to teacher; student act constituting grounds for suspension or expulsion
Ed. Code 49390-49395	Homicide threats
<u>Ed. Code 49414.35</u>	<u>Emergency treatment for opioid overdose</u>
<u>Ed. Code 49414.6</u>	<u>student possession of opioid antagonist</u>
Ed. Code 67381	Availability of information regarding crimes
Gov. Code 11549.3	Independent security assessment
Gov. Code 54957	Closed session meetings for threats to security
Gov. Code 8586.5	California Cybersecurity Integration Center
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act

Pen. Code 422.55

Pen. Code 626.8

Federal

20 USC 1400-1482

20 USC 7111-7122

20 USC 7912

29 USC 794

42 USC 12101-12213

6 USC 665k

Management Resources

[California Department of Education](#)

[CSBA Publication](#)

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

Definition of hate crime

Disruptions

Description

Individuals with Disabilities Education Act

Student support and academic enrichment grants

Transfers from persistently dangerous schools

Rehabilitation Act of 1973; Section 504

Americans with Disabilities Act

Federal Clearinghouse on School Safety Evidence-Based Practices

Description

[Instructional Continuity Plan Guidance](#)

<https://www.cde.ca.gov/re/di/or/icpguidance.asp>

[Comprehensive School Safety Plans, July 2024](#)

<https://www.csba.org/-/media/CSBA/Files/GovernanceResources/SafeSchoolsToolkit/Safety-Toolkit-3.ashx?la=en&rev=1a2c5d79d89c4ca59bda1e45b9647228>

School Safety: Firearm Safety and Storage, May 2023

Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010

https://www.csba.org/-/media/CSBA/Files/GovernanceResources/PolicyNews_Briefs/CommunitySchools/2010_10_PolicyBrief_CommunitySchools.ashx?la=en&rev=ec0c6be9ac6d4204ab9f9e5b1395833a

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

https://www.csba.org/GovernanceAndPolicyResources/DistrictPolicyServices/~//media/CSBA/Files/GovernanceResources/PolicyNews_Briefs/SchoolSafety/2010_07_PolicyBrief_Cyberbullying.ashx

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

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

Federal Bureau of Investigation Publication	Uniform Crime Reporting Handbook, 2004 https://ucr.fbi.gov/additional-ucr-publications/ucr_handbook.pdf
U.S. Department of Education Publication	Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007 https://www.ed.gov/sites/ed/files/admins/lead/safety/emergencyplan/crisisplanning.pdf
U.S. Secret Service & Department of Education Publication	Behavioral Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004 https://www.dhs.gov/sites/default/files/2025-02/2025_0214_cp3_behavioral-threat-assessment-and-management-in-practice.pdf
Website	California Department of Education, Language Services Policy and Process
Website	Schoolsafety.gov
Website	California Department of Education, Safe Schools Planning
Website	California Military Department
Website	California Department of Technology, Independent Security Assessment
Website	U.S. Department of Homeland Security, Fusion Centers
Website	California State Threat Assessment System
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Secret Service, National Threat Assessment Center
Website	Centers for Disease Control and Prevention
Website	Federal Bureau of Investigation
Website	National Center for Crisis Management
Website	National School Safety Center
Website	California Department of Education, Safe Schools
Website	California Department of Education, School Safety Elements and Resources (https://www.cde.ca.gov/ls/ss/vp/elementsresources.asp)
Website	California Governor's Office of Emergency Services
Website	California Healthy Kids Survey
Website	U.S. Department of Education

Cross References

Code	Description
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
0510	School Accountability Report Card
0510	School Accountability Report Card
1100	Communication With The Public
1112	Media Relations
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1313	Civility
1330	Use Of School Facilities
1330	Use Of School Facilities
1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records

1400	Relations Between Other Governmental Agencies And The Schools
2210	Administrative Discretion Regarding Board Policy
3510	Green School Operations
3511	Energy And Water Management
3511	Energy And Water Management
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3514.2	Integrated Pest Management
3515	Campus Security
3515	Campus Security
3515.2	Disruptions
3515.2	Disruptions
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.1	Fire Drills And Fires
3516.2	Bomb Threats
3516.3	Earthquake Emergency Procedure System

3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3543	Transportation Safety And Emergencies
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4119.11	Sex Discrimination and Sex-Based Harassment
4119.11	Sex Discrimination and Sex-Based Harassment
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131	Staff Development
4140	Bargaining Units
4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4157	Employee Safety
4157	Employee Safety
4158	Employee Security
4158	Employee Security
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4219.11	Sex Discrimination and Sex-Based Harassment
4219.11	Sex Discrimination and Sex-Based Harassment
4219.23	Unauthorized Release Of Confidential/Privileged Information
4231	Staff Development
4240	Bargaining Units
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
4257	Employee Safety
4257	Employee Safety
4258	Employee Security