

CSBA POLICY GUIDE SHEET
February 2026

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

Administrative Regulation 3440 - Inventories

Regulation updated to reflect **NEW LAW (AB 629, 2025)** which (1) increases the threshold amount for which the Governing Board is required to establish and maintain an inventory of items to a current market value that exceeds \$1,500, and (2) requires the Superintendent of Public Instruction to adjust such market value biennially and post it on the California Department of Education's (CDE) website. Additionally, regulation updated to more closely align with law and CDE's federal program monitoring instrument.

Board Policy 4119.21/4219.21/4319.21 - Professional Standards

Policy updated to add, to the philosophical paragraph, the Governing Board's desire to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students, and to expand upon the expectations for district employee conduct. Additionally, policy updated to reflect **NEW LAW (SB 848, 2025)** which prohibits inappropriate conduct between district employees, adult volunteers, and contractors and among and between adults employed, volunteering, or under contract with the district. In addition, policy updated to clarify that inappropriate employee conduct includes (1) engaging in any conduct that endangers or threatens to endanger students, staff, or others, and (2) other conduct prohibited in Board Policy 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions.

Exhibit (1) 4119.21 - Professional Standards

Exhibit updated in conjunction with the accompanying Board Policy and to align with the most recent version of the National Education Association's Code of Ethics for Educators.

Exhibit (1) 4219.21 - Professional Standards

Exhibit updated in conjunction with the accompanying Board Policy.

Exhibit (1) 4319.21 - Professional Standards

Exhibit updated in conjunction with the accompanying Board Policy.

Board Policy 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions

Policy updated to add, that for purposes of this policy, employees include interns, volunteers, contractors, and other persons with an employment relationship with the district. Additionally, policy updated to add, to the philosophical paragraph, the Governing Board's desire to provide a safe environment that promotes the learning, engagement, and safety of district students. In addition, policy updated to reflect **NEW LAW (SB 848, 2025)** which prohibits inappropriate conduct between district employees and students and expands the list of inappropriate employee conduct. Policy also updated to add new section related to violations of this policy.

Board Policy 4156.3/4256.3/4356.3 - Employee Property Reimbursement

Policy updated to clarify, in Option 2, that to the extent that the full cost of repair or replacement of an employee's personal property is not covered by another source, such as an employee's private insurance, the Governing Board authorizes the Superintendent or designee to pay the remaining cost of replacing or repairing the employee's personal property. Additionally, policy updated to add that the Board may establish a maximum value of reimbursement.

Board Policy 5144.1 - Suspension and Expulsion/Due Process

Policy updated to add that off campus student behavior may result in discipline when it disrupts district programs and activities or is otherwise prohibited by law, Board policy or administrative regulation. Additionally, policy updated to include state law authorization for the Governing Board, on a case-by-case

basis, to permit a student Board member to make restorative justice recommendations to the Board regarding specific expulsion matters. In addition, policy updated to reflect **NEW LAW (AB 1230, 2025)** which (1) requires the Board, at the time of the expulsion order, to recommend a plan for the student's rehabilitation, and (2) adds to the list of outcome data the Superintendent or designee is required to maintain.

Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process

Regulation updated to clarify that a student may not be disciplined prior to a finding being made pursuant to the Title IX grievance process, but that the district may conduct a non-discipline removal of a student in emergency situations where there is an immediate threat to the health or safety of any student or other individual. Additionally, regulation updated to add requirement that students who voluntarily disclose their use of a controlled substance, alcohol, intoxicant, or tobacco in order to seek help through services or supports may not be suspended solely for that disclosure. In addition, regulation updated to reflect **NEW LAW (AB 1230, 2025)** which (1) requires the Governing Board, at the time of the expulsion order, to recommend a plan for the student's rehabilitation, including specified components, (2) requires the County Superintendent of Schools to provide the Board notification if the County Superintendent is unable to serve students expelled by the district, whereby the Board is required to ensure that another educational program is provided, (3) requires as part of the process for a required review, that the Board indicate whether the student had access to the necessary resources to complete their rehabilitation plan, and that a rehabilitation plan that is not completed due to financial or transportation barriers or a lack of viable opportunities not be a basis to deny the student readmission, and (4) amends the conditions under which the Board may deny readmission.

Board Policy 5145.2 - Freedom Of Speech/Expression

Policy updated to (1) add language to the Governing Board's philosophical statement related to providing a welcoming, safe, and supportive school environment that protects students from discrimination, harassment, intimidation, and bullying, or other types of expression prohibited by law, (2) delete headings for On- and Off- Campus Expression, (3) expand student exercise of freedom of speech and/or the press to include official district and school websites or social media accounts identified and made available for such purpose, (4) expand which student expressions, or distributing or posting of material, is prohibited, (5) clarify material related to off-campus expression, including electronic expression via a personal device or online expression via a personal social media account, and (6) clarify material related to when student expression may be subject to discipline.

Administrative Regulation 5145.2 - Freedom Of Speech/Expression

Regulation updated to establish, at the outset, time, place, and manner restrictions, including the addition of material related to (1) the locations, physical and electronic, that the principal or designee may identify on which students and student organizations may hold rallies, express ideas, debate issues, or post information of general interest, and (2) the authorization for the principal or designee to require a disclaimer on printed materials or petitions stating that the materials or petitions are not sponsored by and do not necessarily reflect the views, ideas, and opinions of the school or district. Additionally, regulation updated to (1) add to the definition of "official school publications" courses or programs, student clubs or organizations, student newspapers or other student publications distributed to the public or student body either for a fee or free, (2) clarify material related to the written publications code, (3) modify the requirement related to the professional standards for which official student publications be held to account for publications which may not be written in English, (4) expand material related to violations of this regulation or accompanying Board policy, with first considering any feasible alternative options to limit the material, providing notice to the official student publication with specific reasons for why the submitted material may not be published, and with sufficient time, absent extraordinary circumstances, to allow the publication or student authors to either modify the material or request review by the Superintendent or designee, and (5) authorize the principal or designee to require a disclaimer on all official student publications indicating that views, ideas, and opinions expressed in official student publications do not necessarily reflect those of the school or district. In addition, regulation updated to add new section, "Student Participation in Civic or Political Events," which includes that a student in middle or high school, with advance notice, be permitted one excused absence per school year in order to participate in a civic or political event such as voting, poll working, strikes, public commenting, or attending candidate speeches, political or civic forums, or town halls.

Board Policy 6142.7 - Physical Education and Activity

Policy updated to reflect that districts are required to grant a student in kindergarten-grade 12 an accommodation in connection with any physical activity components of a physical education course during a period of religious fasting, and that the student be provided alternative assignments or activities for the period the student is granted an accommodation. Additionally, policy updated to reflect the requirement that the district (1) develop, adopt, and implement extreme weather protocols that incorporate the standardized guidelines compiled by the California Department of Education that include specific measures to be taken during extreme weather conditions, and (2) that the adopted weather protocols be annually reviewed, evaluated, and if necessary, updated in accordance with law. In addition, policy updated to authorize the Superintendent or designee to offer an alternate term schedule for grades 6-12 physical education courses.

Administrative Regulation 6142.7 - Physical Education and Activity

Regulation updated to include the definition of "extreme weather conditions," which means occurrences of unusually severe weather conditions, including, but not limited to, periods of extreme heat, excessive precipitation, and floods, that may pose significant harm to students. Additionally, regulation updated to add required specified components of an alternate term schedule for physical education, to be included if authorized by Governing Board in the accompanying Board policy. In addition, regulation updated to delete outdated material related to the duties of a district's physical fitness test coordinator.

Board Policy 6146.1 - High School Graduation Requirements

Policy updated to (1) clarify where, in policy, exemptions from district-adopted graduation requirements can be found, (2) reflect **NEW LAW (AB 821, 2025)** which indefinitely extends the authorization for career technical education to count toward the visual or performing arts or world language graduation requirement, and (3) qualify that the graduation requirement for a one-semester course in ethnic studies beginning with the 2029-30 school year is contingent on state funding. Additionally, policy updated to reflect (1) the graduation requirement, beginning in the 2030-31 school year, for the completion of a stand-alone one-semester course in personal finance that may not be combined with any other course, and (2) the authorization, starting with students graduating in 2030-31, for a student who completes such a course to be exempt from the requirement to complete a one-semester course in economics. In addition, policy updated to clarify (1) that the Governing Board may adopt additional coursework or other requirements that district students are required to complete in order to obtain a high school diploma, and (2) that the Board is expressly authorized by law to adopt a policy that exempts students from additional locally adopted graduation requirements. Policy also updated to expand the section, "Exemption from District-Adopted Graduation Requirements for Highly Mobile Students," to include the graduation exemptions for foster youth, a student experiencing homelessness, a former juvenile court school student, a child of a military family, a student who is migratory or a student participating in a newcomer program as specified in law (highly mobile students), with material that was formerly in separate policies unique to the particular characteristic of the highly mobile student.

Board Policy 6146.3 - Reciprocity of Academic Credit

Policy updated in conjunction with the accompanying administrative regulation.

Administrative Regulation 6146.3 - Reciprocity of Academic Credit

Regulation updated to delete sections on transfers from accredited and non-accredited schools since state law and the accompanying Board policy require districts to accept full or partial coursework satisfactorily completed by students while attending a public school, a juvenile court school, or nonpublic nonsectarian school or agency. Additionally, regulation updated to move section on appeals and due process to follow material for which a parent/guardian may appeal. In addition, regulation updated to add section, "Transfer of Coursework and Credits for Highly Mobile Students," which includes requirements related to transfer of coursework and credits for foster youth, a student experiencing homelessness, a former juvenile court school student, a child of a military family, a student who is migratory, or a student participating in a newcomer program as specified in law (highly mobile students), with material that was formerly in separate policies unique to the particular characteristic of the highly mobile student. Regulation also updated to include new section, "Notification and Complaints," which includes required notification and applicable complaint procedures related to transfer of coursework and credit for highly mobile students.

Board Policy 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities

Policy updated to reflect the authorization for districts to exempt a student with disabilities who was enrolled in grade 10 or higher in the 2022-23 school year, and who satisfies eligibility criteria, from all coursework and other requirements adopted by the Governing Board that are additional to the statewide course requirements, and to award the student a high school diploma.

Board Policy 6173 - Education for Homeless Children

Policy updated to delete reporting requirements related to students experiencing homelessness who graduated in the fourth or fifth year of high school with an exemption from district-established graduation requirements that are in addition to the statewide course requirements, as that material is in Board Policy 6146.1 - High School Graduation Requirements, in the section, "Exemption from District-Adopted Graduation Requirements for Highly Mobile Students," which includes such exemptions for all highly mobile students.

Administrative Regulation 6173 - Education for Homeless Children

Regulation updated to reflect the requirement for districts that offer an intersession program to grant priority access to students experiencing homelessness. Additionally, regulation updated to delete material related to transfer of coursework and credits as that material was moved to Administrative Regulation 6146.3 - Reciprocity of Academic Credit, which includes two new sections related to (1) transfer of coursework and credits and (2) related notifications and complaints, for highly mobile students. In addition, regulation updated to delete material related to exemptions from district-established graduation requirements as that material was moved to Board Policy 6146.1 - High School Graduation Requirements, and includes such exemptions for all highly mobile students.

Exhibit (1) 6173 - Education for Homeless Children

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

Exhibit (2) 6173 - Education for Homeless Children

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

Board Policy 6173.1 - Education for Foster Youth

Policy updated to delete reporting requirements related to foster youth who graduated in the fourth or fifth year of high school with an exemption from district-established graduation requirements that are in addition to the statewide course requirements, as that material is in Board Policy 6146.1 - High School Graduation Requirements in the section, "Exemption from District-Adopted Graduation Requirements for Highly Mobile Students," which includes such exemptions for all highly mobile students.

Administrative Regulation 6173.1 - Education for Foster Youth

Regulation updated to reflect that the definition of a "student in foster care" includes a child who is detained in a county-operated juvenile detention facility or is the subject of a juvenile court petition and has been identified by a county child welfare agency, a probation department, or an Indian tribe meeting as being at imminent risk of removal and placement into foster care. Additionally, regulation updated to reflect that, for a foster youth who is also a student with a disability, the school of origin includes a placement in a certified nonpublic, nonsectarian school. In addition, regulation updated to reflect that districts which offer an intersession program are required to grant priority access to foster youth. Regulation also updated to delete material related to transfer of coursework and credits as that material was moved to Administrative Regulation 6146.3 - Reciprocity of Academic Credit, which includes two new sections related to (1) transfer of coursework and credits, and (2) related notifications and complaints, for highly mobile students. Additionally, regulation updated to delete material related to exemptions from district-established graduation requirements, as that material was moved to Board Policy 6146.1 - High School Graduation Requirements, and includes such exemptions for all highly mobile students.

Board Policy 6173.2 - Education of Children of Military Families

Policy updated to reference the requirement for the California Department of Education to establish a California Purple Star School Designation Program to reduce the burden on military-connected students and their families.

Exhibit (1) 9250 - Remuneration, Reimbursement and other Benefits

Exhibit updated to clarify language in the resolution related to a Governing Board member receiving a pro rata monthly compensation, and reorganize the resolution for precision and ease of use.

NEW - Exhibit (2) 9250 - Remuneration, Reimbursement and other Benefits

New exhibit provides the maximum monthly compensation that a Governing Board member may receive as compensation for their services, and reflects **NEW LAW (AB 1390, 2025)** which increases the maximum monthly compensation amount based on the district's average daily attendance.

Board Bylaw 9320 - Meetings and Notices

Bylaw updated to clarify (1) when the Governing Board may meet in open or closed session, (2) that the existence of a Board meeting includes gathering remotely or electronically, (3) that a series of communications by a majority of the Board should not occur through official or personal social media accounts, and (4) that written notice of special Board meetings should be posted in any location required for remote meetings and attendance. Additionally, bylaw updated to delete material related to disability-related accommodations as it already exists and is more appropriately placed in Board Bylaw 9322 - Agenda/Meeting Materials. In addition, bylaw updated to reflect (1) **NEW LAW (SB 707, 2025)** which permits a remote Board meeting based on a proclaimed state of emergency or local emergency without the requirement to post the physical location of Board members, and (2) the requirement for the notice of an emergency Board meeting to the local media that have requested such notice to be by telephone or email. Bylaw also updated to delete material related to traditional teleconferencing, teleconferencing by individual Board members due to just cause, teleconferencing by individual Board members due to emergency circumstances, and teleconference meetings during a proclaimed state of emergency, as that content has been moved to new Board Bylaw 9320.1 - Remote Meetings and Attendance.

NEW - Board Bylaw 9320.1 - Remote Meetings and Attendance

New bylaw addresses circumstances in which the Governing Board is legally permitted to meet remotely and in which an individual remote Board member is permitted to attend and participate in a Board meeting. Additionally, bylaw includes the traditional method of remote attendance and reflects **NEW LAW (SB 707, 2025)** which permits (1) remote attendance and participation as an accommodation and due to just cause, and (2) remote Board meetings during a proclaimed state of emergency.

Board Bylaw 9322 - Agenda/Meeting Materials

Bylaw updated to clarify that (1) closed session items should be agendized in accordance with Board Bylaw 9321 - Closed Session, and (2) for a regular Board meeting, the Governing Board may consider an item not included in the agenda in accordance with Board Bylaw 9323.2 - Actions by the Board. Additionally, bylaw updated to add new section heading, "Public Comment," which (1) includes clarification that the agenda provide members of the public the opportunity to address the Board on any agenda item, including items to be considered in closed session and items listed on the consent agenda, (2) provides options depending on if it is district practice to have one public comment period for all open session agenda items or separate public comment for each open session agenda item, and (3) reflects **NEW LAW (SB 707, 2025)** which adds requirements to the exception to public comment requirements. In addition, bylaw updated to add new section heading, "Disability-Related Accommodations or Modifications." Bylaw also updated to add material related to Board member requests for a specific matter within the subject matter of the Board to be placed on the agenda, both when the Board member is acting in the capacity as a member of the public and acting in the capacity as a Board member. Additionally, bylaw updated to add new section, "Special Meeting Agenda Dissemination to Members of the Public," which clarifies requirements related to the dissemination of special meeting agendas.

Board Bylaw 9323 - Meeting Conduct

Bylaw updated to (1) clarify that the chair of a given Governing Board meeting will be the Board president or, if the Board president is absent, another Board member, (2) delete the time for which a regular Board meeting should be adjourned, and instead provide a blank to reflect district practice, (3) add material related to removal of an item from the consent agenda, specifying that the Board chair determine when the removed item be considered on the agenda, (4) expand material related to the prohibition from requiring members of the public to provide identifying information as a condition of attending a Board meeting and/or providing

Administrative Regulation 6173.2 - Education of Children of Military Families

Regulation updated to reflect that the United States Space Force is included in the definition of "Uniformed Services" for purposes of the Interstate Compact on Educational Opportunity for Military Children. Additionally, regulation updated to reflect **NEW LAW (AB 1412, 2025)** which requires the district, when a child of a military family who is a student with disabilities enrolls in the district, to accept unofficial records provided by the student's parent/guardian, including the individualized education program and supporting documents and any other records relating to the provision of special education and related services to the student, pending validation by the official records, in accordance with the requirements of the Interstate Compact on Educational Opportunity for Military Children. In addition, regulation updated to delete material related to transfer of coursework and credits as that material was moved to Administrative Regulation 6146.3 - Reciprocity of Academic Credit, which includes two new sections related to (1) transfer of coursework and credits, and (2) related notifications and complaints, for highly mobile students. Regulation also updated to delete material related to exemptions from district-established graduation requirements as that material was moved to Board Policy 6146.1 - High School Graduation Requirements, and includes such exemptions for all highly mobile students.

Administrative Regulation 6173.3 - Education for Juvenile Court School Students

Regulation updated to delete material related to transfer of coursework and credits as that material was moved to Administrative Regulation 6146.3 - Reciprocity of Academic Credit, which includes two new sections related to (1) transfer of coursework and credits, and (2) related notifications and complaints, for highly mobile students. Additionally, regulation updated to delete material related to exemptions from district-established graduation requirements as that material was moved to Board Policy 6146.1 - High School Graduation Requirements, and includes such exemptions for all highly mobile students.

Board Policy 6173.4 - Education for American Indian Students

Policy updated to reference the Native American Studies Model Curriculum, which is a state funded comprehensive, standards-aligned curriculum dedicated to Native American Studies that offers lessons that integrate Native perspectives across academic disciplines.

Board Policy 6175 - Migrant Education Program

Policy updated to clarify that first priority for services to students who are migratory is for those students who have made a qualifying move within the previous one-year period.

Administrative Regulation 6175 - Migrant Education Program

Regulation updated to delete material related to transfer of coursework and credits as that material was moved to Administrative Regulation 6146.3 - Reciprocity of Academic Credit, which includes two new sections related to (1) transfer of coursework and credits, and (2) related notifications and complaints, for highly mobile students. Additionally, regulation updated to delete material related to exemptions from district-established graduation requirements as that material was moved to Board Policy 6146.1 - High School Graduation Requirements, and includes such exemptions for all highly mobile students.

Board Bylaw 9250 - Remuneration, Reimbursement and other Benefits

Bylaw updated to (1) delete options regarding monthly compensation provided to individual Governing Board members, (2) replace with a blank for districts to specify the amount of monthly compensation that reflects district practice, and (3) separate out material which provides that Board members are not required to accept the monthly compensation. Additionally, bylaw updated to clarify material related to (1) a Board member receiving a pro rata monthly compensation, (2) reimbursement for expenses incurred when performing authorized services for the district, (3) benefits for Board members, and (4) former Board members, and the Board member's spouse/registered domestic partner and eligible dependent children, participation in the health and welfare benefits programs provided for district employees. In addition, the section, "Health and Welfare Benefits for Former Board Members," was deleted, as there are few, if any, Board members who would be eligible, since it would require serving for over 30 years, with still relevant material combined with the expanded section, "Benefits for Board Members."

public comment, and related exceptions, (5) delete material related to public participation that is either unnecessary or is contained within more closely related Board bylaws, (6) delete the time for which an individual providing public comment is allowed to address the Board, and instead provide a blank to reflect district practice, (6) provide clarifying language related to an individual speaker giving some or all of the speaker's time to another speaker, and (7) add language related to the public comment period when a remote Board member is attending and participating based on just cause. Additionally, bylaw updated to add new section heading, "Disruptions," which (1) reflects **NEW COURT DECISION (Berkeley People's Alliance v. City of Berkeley)** in which the California Court of Appeal held that state law requires a legislative body to clear the meeting room when a meeting is willfully disrupted and order cannot be restored by removing disruptive individuals and does not permit the legislative body to relocate the meeting to a different room in lieu of clearing the meeting room.

CSBA UPDATE CHECKLIST – February 2026

District Name: Cuyama Joint Unified School District

Contact Name: Alfonso Gamino Phone: 661-766-2642 Email: agamino@cuyamaunified.org

POLICY	TITLE	OPTIONS/BLANKS	ADOPTION DATE	MANDATED
AR 3440	Inventories			
BP 4119.21	Professional Standards			
E(1) 4119.21	Professional Standards			
BP 4119.24	Maintaining Appropriate Adult-Student Interactions			M
BP 4156.3	Employee Property Reimbursement	OPTION 1: <input checked="" type="checkbox"/> <i>current</i> OPTION 2: <input type="checkbox"/>		
BP 4219.21	Professional Standards			
E(1) 4219.21	Professional Standards			
BP 4219.24	Maintaining Appropriate Adult-Student Interactions			M
BP 4256.3	Employee Property Reimbursement	OPTION 1: <input checked="" type="checkbox"/> <i>current</i> OPTION 2: <input type="checkbox"/>		
BP 4319.21	Professional Standards			
E(1) 4319.21	Professional Standards			
BP 4319.24	Maintaining Appropriate Adult-Student Interactions			M
BP 4356.3	Employee Property Reimbursement	OPTION 1: <input checked="" type="checkbox"/> <i>current</i> OPTION 2: <input type="checkbox"/>		
BP 5144.1	Suspension and Expulsion/Due Process			M
AR 5144.1	Suspension and Expulsion/Due Process			M/CM
BP 5145.2	Freedom Of Speech/Expression			M
AR 5145.2	Freedom Of Speech/Expression			M
BP 6142.7	Physical Education and Activity			
AR 6142.7	Physical Education and Activity			

CSBA UPDATE CHECKLIST – February 2026

District Name: _____

POLICY	TITLE	OPTIONS/BLANKS	ADOPTION DATE	MANDATED
BP 6146.1	High School Graduation Requirements <i>-courses maintain</i>	Fill in Blanks 25 hours Community service		
BP 6146.3	Reciprocity of Academic Credit			
AR 6146.3	Reciprocity of Academic Credit			
BP 6146.4	Differential Graduation and Competency Standards for Students with Disabilities			
BP 6173	Education for Homeless Children			M
AR 6173	Education for Homeless Children	Fill in Blanks District Supt./Principal 2300 Hwy 166, New Cuyama, CA 93254 661-766-2642		M
E(1) 6173	Education for Homeless Children	Fill in Blanks Form completed different parent/guardian # Supt./Principal Address		
E(2) 6173	Education for Homeless Children	Fill in Blanks completed by parent/guardian		
BP 6173.1	Education for Foster Youth			
AR 6173.1	Education for Foster Youth	Fill in Blanks Supt./Principal Address		
BP 6173.2	Education of Children of Military Families			
AR 6173.2	Education of Children of Military Families			
AR 6173.3	Education for Juvenile Court School Students			
BP 6173.4	Education for American Indian Students			CM
BP 6175	Migrant Education Program			

CSBA UPDATE CHECKLIST – February 2026

District Name: _____

POLICY	TITLE	OPTIONS/BLANKS	ADOPTION DATE	MANDATED
AR 6175	Migrant Education Program			
BB 9250	Remuneration, Reimbursement and other Benefits	<p>OPTION 1: <input checked="" type="checkbox"/> current NO compensation</p> <p>OPTION 2: <input type="checkbox"/></p> <p>OPTION 3: <input type="checkbox"/></p> <p>Fill in Blanks</p> <p>_____</p> <p>_____</p>		
E(1) 9250	Remuneration, Reimbursement and other Benefits	<p>Fill in Blanks</p> <p>Board decision</p> <p>_____</p> <p>_____</p>		
E(2) 9250	Remuneration, Reimbursement and other Benefits			
BB 9320	Meetings and Notices	<p>Fill in Blanks</p> <p>15-min. each month 2:00 p.m. - 6:00 p.m. Board room or other designated location based on board calendar</p>		M
BB 9320.1	Remote Meetings and Attendance	<p>NEW BYLAW</p> <p>OPTION 1: <input checked="" type="checkbox"/> - due to emergency board mtg. 9 months</p> <p>OPTION 2: <input type="checkbox"/></p> <p>OPTION 3: <input type="checkbox"/></p>		
BB 9322	Agenda/Meeting Materials	<p>OPTION 1: <input type="checkbox"/></p> <p>OPTION 2: <input checked="" type="checkbox"/> current</p> <p>Fill in Blanks</p> <p>15-minutes total on particular issue</p> <p>_____</p>		M

CSBA UPDATE CHECKLIST – February 2026

District Name: _____

POLICY	TITLE	OPTIONS/BLANKS	ADOPTION DATE	MANDATED
BB 9323	Meeting Conduct	Fill in Blanks <u>Board Bylaws</u>		

Regulation 3440: Inventories

Status: ADOPTED

Original Adopted Date: 06/01/1998 | **Last Revised Date:** ~~09/02/01/2016~~2026 | **Last Reviewed Date:** ~~09/02/01/2016~~2026

CSBA NOTE: Education Code 35168 requires the Governing Board to establish and maintain an inventory of all items of equipment with a current market value above \$500, as provided in item #1 below. Generally, the Board delegates this authority that exceed a specified market value which, as amended by AB 629 (Ch. 62, Statutes of 2025), is a current market value that exceeds \$1,500. Pursuant to Education Code 35168, as amended by AB 629, the Superintendent of Public Instruction is required to adjust such market value biennially and post it on the California Department of Education's (CDE) website. Generally, the Board delegates the authority to establish and maintain an inventory of all items of equipment to the Superintendent or designee.

2 CFR 200.313 requires that districts conduct inventories of equipment acquired in whole or in part with federal grant funds, and, 2 CFR 200.331 defines (1) "equipment" as tangible personal property having a useful life of more than one year and an acquisition cost that exceeds \$510,000 or the capitalization level established by the district for financial statement purposes, whichever is less; and (2) "supplies" as all tangible personal property other than those described as "equipment", as specified above. 2 CFR 200.1 provides that for a computing device, the state's value is based on the acquisition cost regardless of the length of its useful life.

The acquisition cost threshold amount established for equipment inventory need not be the same as the threshold amount established for identifying capital assets for accounting purposes. According to the California School Accounting Manual (CSAM), property costing up to \$5,000 may be charged to federal grants as supplies, rather than as equipment for which an inventory is required, unless the district's capitalization threshold is lower. As explained in CSAM, all capitalized items should be inventoried, but not all inventoried items should be capitalized. For more information regarding the effective management and safeguarding of district assets and resources, see BP 3400 - Management of District Assets/Accounts.

During the Federal Program Monitoring (FPM) process, the California Department of Education (CDE) reviews whether the district maintains an inventory record for each item of equipment with an acquisition cost of \$500 or more per unit that is purchased with state and/or federal categorical funds. Thus, it is recommended that districts maintain inventories of equipment with an acquisition cost of \$500 or more per unit, as provided in item #2 below.

The district may specify lower amounts for items #1 and #2 below.

Note that the acquisition cost threshold amount established for the equipment inventory need not be the same as the threshold amount established for identifying capital assets for accounting purposes; see BP 3400 - Management of District Assets/Accounts. As explained in the CDE's

California School Accounting Manual, all capitalized items should be inventoried, but not all inventoried items should be capitalized

Item #1 below reflects the inventory requirement threshold pursuant to Education Code 35168, and Item #2 reflects the additional inventory requirement pursuant to CDE's 2025-26 FPM instrument. The district may specify lower amounts for each.

In order to provide for the proper tracking and control of district property, the Superintendent or designee shall maintain an inventory of equipment in accordance with law for the following:

1. All equipment items currently valued in excess of \$1,500 (Education Code 35168)
2. All equipment items purchased with state and/or federal categorical funds that have a useful life of more than one year with an acquisition cost of \$500 or more per unit

CSBA NOTE: ~~The following optional paragraph may be revised to reflect district practice. According to the California School Accounting Manual~~According to CSAM, some districts choose to inventory certain items, such as computers, audiovisual equipment, and furniture, even if their cost is lower than the threshold defined by law. The following optional paragraph may be revised to reflect district practice.

~~In addition~~Additionally, the Superintendent or designee may maintain a list of specific items which shall be inventoried for internal control purposes regardless of their initial cost or current value.

CSBA NOTE: The following two paragraphs, which list the information that the district's inventory is required to contain, reflect state law and regulations, federal regulations, and CDE's 2025-2026 FPM instrument.

The inventory shall contain a record of the following information: (Education Code 35168; 5 CCR 3946; 2 CFR 200.313)

1. Name~~Name~~Model/name and ~~type~~type/description of the property
2. Identification~~Serial/identification~~Serial/identification number
3. Original cost of the item of equipment or a reasonable estimate if the original cost is unknown
4. Date of acquisition
5. Location of use

6. The date and method of disposal

CSBA NOTE: Items #1-5 below are for use by districts that have used state and/or federal categorical funds to purchase equipment with an initial cost over the threshold established by law or the district. The district may merge this list into the list above in order to provide consistent procedures for all district equipment.

In addition to the information specified in ~~items~~Items #1-6 above, the following information shall be recorded for equipment acquired with state and/or federal categorical funds unless otherwise specified in law: (5 CCR 3946; 2 CFR 200.313)

1. Source of the property (funding source), including any applicable federal award identification number
2. Titleholder
3. Percentage of federal participation in the cost of the property for the federal award under which the property was acquired
4. Use and current condition of property
5. Transfer, replacement, or disposition of obsolete or unusable equipment
5. 6. Sale Any ultimate disposition data, including the sale price of the property upon disposition and method used to determine current fair market value

At the time of purchase, the Superintendent or designee shall affix a label to the equipment containing the identification number and the district name. Equipment items purchased with categorical program funds shall also be labeled with the name of the project in accordance with 5 CCR 3946.

CSBA NOTE: The following optional paragraph provides for tracking of items that are moved from their original location. For additional requirements regarding safeguards for equipment purchased with categorical program funds, see AR 3512 - Equipment.

Whenever an equipment item is moved to a new location or the equipment is used for a new purpose, the new location or purpose shall be recorded in the inventory.

CSBA NOTE: 5 CCR 3946 requires that the inventory of equipment purchased with state and/or federal categorical funds be maintained at the district office and appropriate school site. The following optional paragraph has been expanded to apply to all inventories conducted by the district and may be revised to reflect district practice.

A copy of the inventory shall be kept at the district office and at the appropriate school site.

The Superintendent or designee shall annually submit an inventory listing of federally owned property in its custody to the federal agency that granted the award. (2 CFR 200.312)

Physical Inventory

CSBA NOTE: The FPM process for both state and federal categorical programs includes a determination as to whether the district has conducted a physical inventory of equipment within the past two years in accordance with 2 CFR 200.313, as provided below. The California School Accounting Manual CSAM recommends that districts conduct a physical inventory at least once a year. The district may revise the following paragraph to specify a timeline shorter than two years.

At least once every two years, a physical inventory of equipment shall be conducted and the results reconciled with the property records. (2 CFR 200.313)

CSBA NOTE: The following two paragraphs are optional. The California School Accounting Manual CSAM includes recommended procedures for conducting a physical inventory, including procedures for preparing for the inventory, conducting the inventory count, and recounting. The following paragraph may be revised to reflect any specific district procedures for the physical inventory.

The Superintendent or designee shall establish procedures for conducting the physical inventory which shall include, but not be limited to, designation of person(s) responsible for coordinating and conducting the inventory, preparation and distribution of count sheets, procedures for implementing the inventory, and procedures for conducting a recount to substantiate the validity of the inventory.

The Superintendent or designee shall investigate any differences between the quantities determined by the physical inspection and those in the accounting records.

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Policy Reference Disclaimer:

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State

5 CCR 16022-16023

Description

Classification of records

5 CCR 16035

Historical inventory of equipment

5 CCR 3946

Control, safeguards, disposal of equipment purchased with consolidated application funds

Ed. Code 35168

Inventory of equipment

Federal

2 CFR 200.0-200.521

Description

Federal uniform grant guidance

20 USC 2301-2414

Strengthening Career and Technical Education for the 21st Century Act

Management Resources

California Department of Education
Publication

Description

California School Accounting Manual

Website	CSBA District and County Office of Education Legal Services
Website	California Association of School Business Officials
Website	California Department of Education
Website	Office of Management and Budget

Cross References

Code	Description
3000	Concepts And Roles
3230	Federal Grant Funds
3230	Federal Grant Funds
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3290	Gifts, Grants And Bequests
3300	Expenditures And Purchases
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3512	Equipment
3512-E(1)	Equipment
3515	Campus Security
3515	Campus Security
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3580	District Records
3580	District Records
6178	Career Technical Education
6178	Career Technical Education

Policy 4119.21: Professional Standards

Status: ADOPTED

Original Adopted Date: 07/01/2009 | **Last Revised Date:** ~~12/02/01/2017~~2026 | **Last Reviewed Date:** ~~12/02/01/2017~~2026

CSBA NOTE: The following optional policy ~~should~~may be revised to reflect district practice.

Pursuant to Education Code 32100, as added by SB 848 (Ch. 460, Statutes of 2025), districts are required to, by July 1, 2026, adopt policies that (1) promote safe environments for student learning and engagement that explicitly address professional boundaries between (a) students and school employees, adult volunteers, and school contractors, (b) among and between students, and (c) among and between adults employed, volunteering, or any related provisions of collective bargaining agreements under contract with the district, and (2) establish appropriate limits on contact during or outside of the school day between students and school employees, volunteers, and school contractors via social media internet platforms, text messaging, and other forms of communication that do not otherwise include the student's parent/guardian. The limitations in this policy may vary based on the age or grade of the students and may be revised to reflect district practice. For language fulfilling these mandates, see BP 4119.24/4219.24/4319.24 – Maintaining Appropriate Adult-Student Interactions.

~~The Governing~~The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students. The Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district; advances the goals of the district's educational programs; encourages student learning, engagement, and success; and contributes to a safe and positive school climate.

CSBA NOTE: The following optional paragraph encourages district employees to abide by standards developed by their professional associations. The professional standards for certificated staff have been developed by the National Education Association, the professional standards for classified staff have been developed by the California School Employees Association, and the professional standards for managerial and supervisory staff have been developed by the Commission on Teacher Credentialing (CTC), each available on their respective websites. These standards are reproduced at E(1) 4119.21 (certificated personnel), E(1) 4219.21 (classified personnel), and E(1) 4319.21 (administrative and supervisory personnel).

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/herthe employee's professional responsibilities and to contribute to the learning and achievement of district students.

Inappropriate Conduct

The Board prohibits inappropriate conduct between employees, adult volunteers, and district contractors and among and between adults employed, volunteering, or under contract with the district. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers or threatens to endanger students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

CSBA NOTE: Pursuant to Penal Code 311.2, pornography includes digitally altered or artificial-intelligence-generated matter.

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity
9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

CSBA NOTE: For more information about appropriate attire for district employees, see BP 4119.22/4219.22/4319.22 - Dress and Grooming.

14. Wearing inappropriate attire

15. Other conduct prohibited in Board Policy 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting.

CSBA NOTE: Discipline of employees is a subject of collective bargaining. For information about the range of disciplinary actions that may be taken, see BP/AR 4118 - Dismissal/Suspension/Disciplinary Action, and AR 4218 - Dismissal/Suspension/Disciplinary Action.

Education Code 44242.5 and 5 CCR 80303 require the Superintendent to notify the Commission on Teacher Credentialing (CTC) CTC when the status of a certificated employee changes as a result of alleged misconduct. Although "alleged misconduct" is not defined in the law, the CTC states provides that conduct affecting classroom safety, student safety, or the integrity of the school environment is the type of misconduct that must is required to be reported. See AR 4117.7/4317.7 - Employment Status Reports.

Any reports of employee misconduct shall be promptly investigated: by the Superintendent or designee. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Notifications

CSBA NOTE: Beginning January 1, 2018, Education Code 44050, as added by AB 500 (Ch. 580, Statutes of 2017), requires districts maintaining an employee code of conduct that addresses employee interactions with students to post the section(s) on employee-student interactions in a publicly accessible manner on each school's [web site](#) [website](#), or the district [web site](#) [website](#) if a school does not maintain one. Beginning July 1, 2018 Additionally, at the beginning of each school year, the district must also is required to provide parents/guardians with written copies of the sections of the employee code of conduct that address employee interactions with students. The applicable sections of the code of conduct may appear in a variety of district documents, including, but not limited to, portions of this Board policy, employee handbooks, and/or the code of conduct adopted by the district for use by certificated, classified, or administrative personnel as presented in the accompanying Exhibits.

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district [web sites](#) [websites](#). (Education Code 44050)

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Policy Reference Disclaimer:

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State	Description
5 CCR 80300	Committee of credentials; definitions
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80331-80338	Rules of conduct for professional educators
Bus. Code 25608	Alcohol on school property; use in connection with instruction
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32100	Professional boundaries between adults and students and the safety of learning environments
Ed. Code 44010	Sex offense; definition
Ed. Code 44011	Controlled substance offense; definition
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44242.5	Reports and review of alleged misconduct

[Ed. Code 44420-44440](#)

[Ed. Code 44811](#)

[Ed. Code 44932](#)

[Ed. Code 44939.5](#)

Ed. Code 48980

[Ed. Code 49060-49070](#)

[H&S Code 104559](#)

[Pen. Code 270-273.76](#)

[Pen. Code 311-312.7](#)

Pen. Code 11164-11174.4

Federal

[20 USC 1232g](#)

[34 CFR 99.1-99.8](#)

Management Resources

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Council of Chief State School Officers
Publication [National Policy Board for
Educational Administration](#)

National Education Association
Publication

[California School Employees Association
Publication](#)

[Commission on Teacher Credentialing
Publication](#)

WestEd Publication

Website

Website

Website

[Revocation and suspension of certification documents](#)

[Disruption of classwork or extracurricular activities](#)

[Grounds for dismissal of permanent employees](#)

[Certificated applicant screening](#)

Parent/Guardian notifications

[Student records](#)

[Tobacco use prohibition](#)

[Abandonment and neglect of children](#)

[Obscene matter](#)

Child Abuse and Neglect Reporting Act

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

[Family Educational Rights and Privacy Act](#)

Description

California Professional Standards for Educational Leaders,
February 2014

[California Standards for the Teaching Profession \(CSTP\),
October 2009](#) [California Standards for the Teaching
Profession \(CSTP\), April 2024](#)

[https://www.ctc.ca.gov/docs/default-source/educator-
prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12](https://www.ctc.ca.gov/docs/default-source/educator-
prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12)

Professional Standards for Educational Leaders, 2015
[https://www.npbea.org/wp-
content/uploads/2017/06/Professional-Standards-for-
Educational-Leaders_2015.pdf](https://www.npbea.org/wp-
content/uploads/2017/06/Professional-Standards-for-
Educational-Leaders_2015.pdf)

Code of Ethics of the Education Profession, 1975 for
Educators, 2020 ([https://www.nea.org/resource-library/code-
ethics-educators](https://www.nea.org/resource-library/code-
ethics-educators))

Code of Ethics, 1954 ([https://csea.com/system/files/2022-
06/CSEACoE.pdf](https://csea.com/system/files/2022-
06/CSEACoE.pdf))

[California Professional Standards for Education Leaders, 2014](#)
(<https://docs.ctc.ca.gov/Document/Download/30697>)

Moving Leadership Standards into Everyday Work:
Descriptions of Practice, 2003-2015

CSBA District and County Office of Education Legal Services

Council of Chief State School Officers

California Federation of Teachers

Website	California School Employees Association
Website	California Teachers Association
Website	Commission on Teacher Credentialing
Website	Association of California School Administrators
<u>Website</u>	<u>National Education Association (https://www.nea.org/)</u>
Website	WestEd
Website	California Department of Education
Website	CSBA
<u>Website</u>	<u>National Policy Board for Educational Administration (https://www.npbea.org/)</u>

Cross References

Code	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0450</u>	<u>Comprehensive Safety Plan</u>
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
<u>1240</u>	<u>Volunteer Assistance</u>
<u>1240</u>	<u>Volunteer Assistance</u>
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1313	Civility
2111	Superintendent Governance Standards
3513.3	Tobacco-Free Schools

3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515.2	Disruptions
3515.2	Disruptions
3515.7	Firearms On School Grounds
3580	District Records
3580	District Records
4020	Drug And Alcohol-Free Workplace
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
<u>4111</u>	<u>Recruitment And Selection</u>
<u>4112</u>	<u>Appointment And Conditions Of Employment</u>
4112.2	Certification
4112.2	Certification
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.6</u>	<u>Personnel Files</u>
4113.5	Working Remotely
4115	Evaluation/Supervision
4115	Evaluation/Supervision
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.1	Civil And Legal Rights
4119.11	Sexual Harassment

4119.11	Sexual Harassment
4119.22	Dress And Grooming
4119.23	Unauthorized Release Of Confidential/Privileged Information
<u>4119.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4119.25	Political Activities Of Employees
4119.25	Political Activities Of Employees
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
4131	Staff Development
4132	Publication Or Creation Of Materials
4136	Nonschool Employment
4158	Employee Security
4158	Employee Security
<u>4211</u>	<u>Recruitment And Selection</u>
<u>4212</u>	<u>Appointment And Conditions Of Employment</u>
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.6</u>	<u>Personnel Files</u>
4213.5	Working Remotely
4215	Evaluation/Supervision
<u>4216</u>	<u>Probationary/Permanent Status</u>
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
4219.1	Civil And Legal Rights
4219.11	Sexual Harassment
4219.11	Sexual Harassment

4219.22	Dress And Grooming
4219.23	Unauthorized Release Of Confidential/Privileged Information
<u>4219.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4219.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4231	Staff Development
4232	Publication Or Creation Of Materials
4236	Nonschool Employment
4258	Employee Security
4258	Employee Security
<u>4311</u>	<u>Recruitment And Selection</u>
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.6</u>	<u>Personnel Files</u>
4313.5	Working Remotely
4315	Evaluation/Supervision
4317.7	Employment Status Reports
4319.1	Civil And Legal Rights
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.22	Dress And Grooming
4319.23	Unauthorized Release Of Confidential/Privileged Information
<u>4319.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4319.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
4331	Staff Development
4332	Publication Or Creation Of Materials

4336	Nonschool Employment
4358	Employee Security
4358	Employee Security
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
<u>5142</u>	<u>Safety</u>
<u>5142</u>	<u>Safety</u>
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6162.54	Test Integrity/Test Preparation
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
<u>7110</u>	<u>Facilities Master Plan</u>

Exhibit 4119.21-E(1): Professional Standards

Status: ADOPTED

Original Adopted Date: 03/01/1991 | **Last Revised Date:** ~~11/02/01/2001~~2026 | **Last Reviewed Date:** ~~11/02/01/2001~~2026

CODE OF ETHICS OF THE EDUCATION PROFESSION FOR EDUCATORS

CSBA NOTE: The following exhibit reproduces the Code of Ethics of the Education Profession for Educators adopted by the National Education Association in 1975. The Code was revised in 2020 to use the broader term "educator." This code is used by the California Teachers Association and is distributed to teachers in the CTA Handbook.

Preamble

The National Education Association (NEA) believes that the education profession consists of one education workforce serving the needs of all students and that the term 'educator' includes education support professionals.

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurturing of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents/guardians, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession for Educators indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than the one specifically designated by the NEA or its affiliates.

Principle I. Commitment to the Student

The educator strives to help each student realize ~~his/her~~ the student's potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning

2. Shall not unreasonably deny the student access to varying points of view
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety
5. Shall not intentionally expose the student to embarrassment or disparagement
6. Shall not on the basis of race, color, creed, gender, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:
 - a. Exclude any student from participation in any program
 - b. Deny benefits to any student
 - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage
8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law

Principle II. Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation of the profession, the educator:

1. Shall not in any application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications
2. Shall not misrepresent his/her the educator's professional qualifications

3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position
5. Shall not assist a noneducator in the unauthorized practice of teaching
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law
7. Shall not knowingly make false or malicious statements about a colleague
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action

Source: *National Education Association, 1975*[2020](#)

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Policy Reference Disclaimer:

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State

[5 CCR 80300](#)

5 CCR 80303

5 CCR 80331-80338

[Bus. Code 25608](#)

Ed. Code 200-262.4

[Ed. Code 32100](#)

[Ed. Code 44010](#)

[Ed. Code 44011](#)

Ed. Code 44050

[Ed. Code 44420-44440](#)

[Ed. Code 44811](#)

[Ed. Code 44932](#)

Description

[Committee of credentials; definitions](#)

Reports of change in employment status; alleged misconduct

Rules of conduct for professional educators

[Alcohol on school property; use in connection with instruction](#)

Prohibition of discrimination

[Professional boundaries between adults and students and the safety of learning environments](#)

[Sex offense; definition](#)

[Controlled substance offense; definition](#)

Employee code of conduct; interaction with students

[Revocation and suspension of certification documents](#)

[Disruption of classwork or extracurricular activities](#)

[Grounds for dismissal of permanent employees](#)

Ed. Code 44242 <u>44939</u> .5	<u>Reports and review of alleged misconduct</u> <u>Certificated applicant screening</u>
Ed. Code 48980	Parent/Guardian notifications
<u>Ed. Code 49060-49-70</u>	<u>Student records</u>
<u>H&S Code 104559</u>	<u>Tobacco use prohibition</u>
<u>Pen. Code 270-273.76</u>	<u>Abandonment and neglect of children</u>
<u>Pen. Code 311-312.7</u>	<u>Obscene matter</u>
Pen. Code 11164-11174.4	Child Abuse and Neglect Reporting Act
Federal	Description
<u>20 USC 1232g</u>	<u>Family Educational Rights and Privacy Act (FERPA) of 1974</u>
<u>34 CFR 99.1-99.8</u>	<u>Family Educational Rights and Privacy Act</u>
Management Resources	Description
Commission on Teacher Credentialing Publication	California Professional Standards for Educational Leaders, February 2014
Commission on Teacher Credentialing Publication	<u>California Standards for the Teaching Profession (CSTP), October 2009</u> <u>California Standards for the Teaching Profession (CSTP), April 2024</u> (https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12)
Council of Chief State School Officers Publication	Professional Standards for Educational Leaders, 2015 (https://www.npbea.org/wp-content/uploads/2017/06/Professional-Standards-for-Educational-Leaders_2015.pdf)
National Education Association Publication	Code of Ethics of the Education Profession, 1975 <u>for Educators, 2020</u> (https://www.nea.org/resource-library/code-ethics-educators)
<u>California School Employees Association</u> Publication	<u>Code of Ethics, 1954</u> (https://csea.com/system/files/2022-06/CSEACoE.pdf)
<u>Commission on Teacher Credentialing</u> Publication	<u>California Professional Standards for Education Leaders, 2014</u> (https://docs.ctc.ca.gov/Document/Download/30697)
<u>WestEd</u> Publication	<u>Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2015</u> (https://www.wested.org/resource/moving-leadership-standards-into-everyday-work-descriptions-of-practice-ebook/)
Website	CSBA District and County Office of Education Legal Services
Website	Council of Chief State School Officers
Website	California Federation of Teachers
Website	California School Employees Association

Website	California Teachers Association
Website	Commission on Teacher Credentialing
Website	Association of California School Administrators
<u>Website</u>	<u>National Education Association (https://www.nea.org/)</u>
Website	WestEd
Website	California Department of Education
Website	CSBA
WestEd Publication <u>Website</u>	<u>Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003 National Policy Board for Educational Administration (https://www.npbea.org/)</u>

Cross References

Code	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0450</u>	<u>Comprehensive Safety Plan</u>
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
<u>1240</u>	<u>Volunteer Assistance</u>
<u>1240</u>	<u>Volunteer Assistance</u>
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1313	Civility
2111	Superintendent Governance Standards
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools

3513.4	Drug And Alcohol Free Schools
3515.2	Disruptions
3515.2	Disruptions
3515.7	Firearms On School Grounds
3580	District Records
3580	District Records
4020	Drug And Alcohol-Free Workplace
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
<u>4111</u>	<u>Recruitment And Selection</u>
<u>4112</u>	<u>Appointment And Conditions Of Employment</u>
4112.2	Certification
4112.2	Certification
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.6</u>	<u>Personnel Files</u>
4113.5	Working Remotely
4115	Evaluation/Supervision
4115	Evaluation/Supervision
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.1	Civil And Legal Rights
4119.11	Sexual Harassment
4119.11	Sexual Harassment

4119.22	Dress And Grooming
4119.23	Unauthorized Release Of Confidential/Privileged Information
<u>4119.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4119.25	Political Activities Of Employees
4119.25	Political Activities Of Employees
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
4131	Staff Development
4132	Publication Or Creation Of Materials
4136	Nonschool Employment
4158	Employee Security
4158	Employee Security
<u>4211</u>	<u>Recruitment And Selection</u>
<u>4212</u>	<u>Appointment And Conditions Of Employment</u>
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.6</u>	<u>Personnel Files</u>
4213.5	Working Remotely
4215	Evaluation/Supervision
<u>4216</u>	<u>Probationary/Permanent Status</u>
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
4219.1	Civil And Legal Rights
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.22	Dress And Grooming

4219.23	Unauthorized Release Of Confidential/Privileged Information
<u>4219.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4219.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4231	Staff Development
4232	Publication Or Creation Of Materials
4236	Nonschool Employment
4258	Employee Security
4258	Employee Security
<u>4311</u>	<u>Recruitment And Selection</u>
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.6</u>	<u>Personnel Files</u>
4313.5	Working Remotely
4315	Evaluation/Supervision
4317.7	Employment Status Reports
4319.1	Civil And Legal Rights
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.22	Dress And Grooming
4319.23	Unauthorized Release Of Confidential/Privileged Information
<u>4319.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4319.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
4331	Staff Development
4332	Publication Or Creation Of Materials
4336	Nonschool Employment

4358	Employee Security
4358	Employee Security
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
<u>5142</u>	<u>Safety</u>
<u>5142</u>	<u>Safety</u>
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6162.54	Test Integrity/Test Preparation
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
<u>7110</u>	<u>Facilities Master Plan</u>

Policy 4119.24: Maintaining Appropriate Adult-Student Interactions **Status:** ADOPTED

Original Adopted Date: 07/01/2019 | **Last Revised Date:** 02/01/2026 | **Last Reviewed Date:** 07/02/01/20192026

CSBA NOTE: The following optional policy may be revised to reflect district practice.

CSBA NOTE: This policy is mandated, pursuant to Education Code 32100, as added by SB 848 (Ch. 460, Statutes of 2025), which requires districts to, by July 1, 2026, adopt policies that (1) promote safe environments for student learning and engagement that explicitly addresses professional boundaries between (a) students and school employees, adult volunteers, and school contractors, (b) among and between students, and (c) among and between adults employed, volunteering, or under contract with the district, and (2) establishes appropriate limits on contact during or outside of the school day between students and school employees, volunteers, and school contractors via social media internet platforms, text messaging, and other forms of communication that do not otherwise include the student's parent/guardian. The limitations in this policy may vary based on the age or grade of the students and may be revised to reflect district practice. For more information regarding professional standards for district employees, see BP 4119.21/4219.21/4319.21 – Professional Standards.

For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the district.

The Governing Board desires to provide a safe and positive school environment that protectspromotes the learning, engagement, safety, and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, in accordance with this policy and Board Policy 4119.21/4219.21/4319.21 – Professional Standards. Such adults shall not engage in threatening, unsafe, unlawful, or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Employees are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

CSBA NOTE: Pursuant to the Child Abuse and Neglect Reporting Act (Penal Code 11164-11174.3), persons identified as "mandated reporters," including, but not limited to, school administrators, certificated staff, and classified staff, are required to report known or suspected child abuse,

including sexual assault and sexual exploitation. For required procedures for filing a report, see BP/AR 5141.4 - Child Abuse Prevention and Reporting.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

CSBA NOTE: Education Code 44050 requires districts maintaining an employee code of conduct that addresses employee interactions with students to post, in a publicly accessible manner on each school's web site website or on the district web site website if a school does not maintain one, the section(s) of the code of conduct dealing with employee-student interactions. At Additionally, at the beginning of each school year, the district must also is required to provide parents/guardians with written copies of the sections of the employee code of conduct that address employee interactions with students. The applicable sections of the code of conduct may appear in a variety of district documents, including, but not limited to, this Board policy, sections of BP/E 4119.21/4219.21/4319.21 - Professional Standards, and employee handbooks.

The district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites websites. (Education Code 44050)

Inappropriate Conduct

CSBA NOTE: The following section lists examples of prohibited inappropriate conduct and conduct that can create the appearance of impropriety and reflects the requirements of Education Code 32100, as added by SB 848. The list may be modified to reflect district practice and the grade levels served, so long as the list conforms with the requirements of Education Code 32100. For additional examples of behaviors that may constitute sexual harassment of students, see BP/AR 5145.7 - Sexual Harassment

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

The Board prohibits inappropriate conduct between employees and students. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Initiating inappropriate physical contact

2. Attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature
 3. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
2. 4. Being alone with a student outside of the view of others
 3. 5. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent

CSBA NOTE: Education Code 32100, as added by SB 848, requires the district's policy to establish appropriate limits on contact during or outside of the school day between students and employees via social media platforms, text messaging, and other forms of communication that do not otherwise include the student's parent/guardian.

4. 6. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic communications, or other means of communication, without including the student's parent/guardian ~~or the principal~~

~~When communicating electronically with students~~In accordance with Board Policy/Administrative Regulation 4040 - Employee Use of Technology, employees shall use district equipment or technological resources, when available, when communicating electronically with students. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.

5. 7. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee
6. 8. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
7. 9. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
8. 10. Addressing a student in an overly familiar manner, such as by using a term of endearment

9. 11. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
10. 12. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
11. 13. Transporting a student in a personal vehicle without prior authorization
12. 14. Encouraging students to confide their personal or family problems and/or relationships
13. 15. Disclosing personal, family, or other private matters to students or sharing personal secrets with students
16. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence
17. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
18. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
19. Using profane, obscene, or abusive language against students

Violations of Policy

CSBA NOTE: Pursuant to the Child Abuse and Neglect Reporting Act (Penal Code 11164-11174.3), persons identified as "mandated reporters," including, but not limited to, school administrators, certificated staff, and classified staff, and as amended by SB 848, Board members and volunteers, are required to report known or suspected child abuse, including sexual assault and sexual exploitation. For required procedures for filing a report, see BP/AR 5141.4 - Child Abuse Prevention and Reporting.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Board prohibits retaliation against anyone who reports a violation of this policy. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. Additionally, the Superintendent or designee may also notify law enforcement as appropriate.

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 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 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
Ed. Code 32100	Professional boundaries between adults and students; safety of learning environments
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 48980	Parent/Guardian notifications
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act

Management Resources

	Description
Website	CSBA District and County Office of Education Legal Services

Cross References

Code	Description
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.41	Charter School Oversight
0420.41	Charter School Oversight
0450	Comprehensive Safety Plan
1240	Volunteer Assistance
1240	Volunteer Assistance
4040	Employee Use of Technology
4040	Employee Use of Technology
4111	Recruitment And Selection
4112	Appointment And Conditions Of Employment
4112.5	Criminal Record Check
4112.5	Criminal Record Check

<u>4112.6</u>	<u>Personnel Files</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4119.21</u>	<u>Professional Standards</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4211</u>	<u>Recruitment And Selection</u>
<u>4212</u>	<u>Appointment And Conditions Of Employment</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.6</u>	<u>Personnel Files</u>
<u>4216</u>	<u>Probationary/Permanent Status</u>
<u>4219.21</u>	<u>Professional Standards</u>
<u>4311</u>	<u>Recruitment And Selection</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.6</u>	<u>Personnel Files</u>
<u>4319.21</u>	<u>Professional Standards</u>
<u>4218</u>	<u>Dismissal/Suspension/Disciplinary Action</u>
<u>4218</u>	<u>Dismissal/Suspension/Disciplinary Action</u>
<u>4218.1</u>	<u>Dismissal/Suspension/Disciplinary Action (Merit System)</u>
<u>5131</u>	<u>Conduct</u>
<u>5141.4</u>	<u>Child Abuse Prevention and Reporting</u>
<u>5141.4</u>	<u>Child Abuse Prevention and Reporting</u>
<u>5142</u>	<u>Safety</u>
<u>5142</u>	<u>Safety</u>
<u>5145.7</u>	<u>Sexual Harassment</u>
<u>5145.7</u>	<u>Sexual Harassment</u>
<u>7110</u>	<u>Facilities Master Plan</u>

Policy 4156.3: Employee Property Reimbursement

Status: ADOPTED

Original Adopted Date: 09/01/1988 | Last Revised Date: 02/01/1998²⁰²⁶ | Last Reviewed Date: 02/01/1998²⁰²⁶

CSBA NOTE: The following optional policy may be ~~subject~~^{revised} to collective bargaining agreements reflect district practice.

Option 1 is for districts that do not authorize payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

Option 2 is for districts that authorize, pursuant to Education Code 35213, payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

OPTION 1: (No reimbursement of employee personal property)

The Governing Board does not authorize payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

OPTION 1 ENDS HERE

CSBA NOTE: The remainder of this policy is for use by districts that select Option 2.

OPTION 2: (Reimbursement of employee personal property stolen or intentionally destroyed or damaged while being used for work-related purposes)

The To the extent that the full cost of repair or replacement is not covered by another source, such as an employee's private insurance, the Governing Board authorizes the Superintendent or designee to pay the remaining cost of replacing or repairing employee personal property, except cash, which has been stolen or intentionally destroyed or damaged while being used for work-related purposes.

The Board may establish a maximum value of reimbursement which shall be paid. (Education Code 35213)

No reimbursement shall be made for accidental damage or for any loss due to lack of personal supervision or failure to keep property in a secured area.

The maximum payment shall be the amount specified by the district's insurance carrier for such loss or the amount specified in the applicable collective bargaining agreement, whichever is less.

Reimbursement for personal items used for work-related purposes shall be made only if: (Education Code 35213)

1. Use of the personal property was approved by the principal, site supervisor or designee before the property was brought to school or district premises

2. At that time, the employee and district representative agreed on the value of the property

OPTION 2 ENDS HERE

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 to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Civ. Code 1714.1	Liability of parent/guardian for act of willful misconduct by a minor
Ed. Code 35213	Reimbursement for loss or damage of personal property
Ed. Code 48904	Liability of parent/ <u>guardian</u>

Management Resources

Website	Description
	CSBA District and County Office of Education Legal Services

Cross References

Code	Description
1313	Civility
3512	Equipment
3512-E(1)	Equipment
3513.1	Cellular Phone Reimbursement
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4113.5	Working Remotely
4158	Employee Security
4158	Employee Security
4213.5	Working Remotely
4258	Employee Security
4258	Employee Security

4313.5	Working Remotely
4358	Employee Security
4358	Employee Security
5131.5	Vandalism And Graffiti

Policy 4219.21: Professional Standards

Status: ADOPTED

Original Adopted Date: 07/01/2009 | **Last Revised Date:** ~~12/02/01/2017~~2026 | **Last Reviewed Date:** ~~12/02/01/2017~~2026

CSBA NOTE: The following optional policy ~~should~~may be revised to reflect district practice.

Pursuant to Education Code 32100, as added by SB 848 (Ch. 460, Statutes of 2025), districts are required to, by July 1, 2026, adopt policies that (1) promote safe environments for student learning and engagement that explicitly address professional boundaries between (a) students and school employees, adult volunteers, and school contractors, (b) among and between students, and (c) among and between adults employed, volunteering, or any related provisions of collective bargaining agreements under contract with the district, and (2) establish appropriate limits on contact during or outside of the school day between students and school employees, volunteers, and school contractors via social media internet platforms, text messaging, and other forms of communication that do not otherwise include the student's parent/guardian. The limitations in this policy may vary based on the age or grade of the students and may be revised to reflect district practice. For language fulfilling these mandates, see BP 4119.24/4219.24/4319.24 – Maintaining Appropriate Adult-Student Interactions.

~~The Governing~~The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students. The Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district; advances the goals of the district's educational programs; encourages student learning, engagement, and success; and contributes to a safe and positive school climate.

CSBA NOTE: The following optional paragraph encourages district employees to abide by standards developed by their professional associations. The professional standards for certificated staff have been developed by the National Education Association, the professional standards for classified staff have been developed by the California School Employees Association, and the professional standards for managerial and supervisory staff have been developed by the Commission on Teacher Credentialing (CTC), each available on their respective websites. These standards are reproduced at E(1) 4119.21 (certificated personnel), E(1) 4219.21 (classified personnel), and E(1) 4319.21 (administrative and supervisory personnel).

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill ~~his/her~~the employee's professional responsibilities and to contribute to the learning and achievement of district students.

Inappropriate Conduct

The Board prohibits inappropriate conduct between employees, adult volunteers, and district contractors and among and between adults employed, volunteering, or under contract with the district. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers or threatens to endanger students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

CSBA NOTE: Pursuant to Penal Code 311.2, pornography includes digitally altered or artificial-intelligence-generated matter.

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity
9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

CSBA NOTE: For more information about appropriate attire for district employees, see BP 4119.22/4219.22/4319.22 - Dress and Grooming.

14. Wearing inappropriate attire

15. Other conduct prohibited in Board Policy 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in **AR Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting.**

CSBA NOTE: Discipline of employees is a subject of collective bargaining. For information about the range of disciplinary actions that may be taken, see BP/AR 4118 - Dismissal/Suspension/Disciplinary Action, and AR 4218 - Dismissal/Suspension/Disciplinary Action.

Education Code 44242.5 and 5 CCR 80303 require the Superintendent to notify the Commission on Teacher Credentialing (CTC) when the status of a certificated employee changes as a result of alleged misconduct. Although "alleged misconduct" is not defined in the law, the CTC states **provides** that conduct affecting classroom safety, student safety, or the integrity of the school environment is the type of misconduct that **mustis required to** be reported. See AR 4117.7/4317.7 - Employment Status Reports.

Any reports of employee misconduct shall be promptly investigated: **by the Superintendent or designee.** Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Notifications

CSBA NOTE: ~~Beginning January 1, 2018~~, Education Code 44050, as added by AB 500 (Ch. 580, Statutes of 2017), requires districts maintaining an employee code of conduct that addresses employee interactions with students to post the section(s) on employee-student interactions in a publicly accessible manner on each school's ~~web site~~website, or the district ~~web site~~website if a school does not maintain one. ~~Beginning July 1, 2018~~Additionally, at the beginning of each school year, the district ~~must also~~is required to provide parents/guardians with written copies of the sections of the employee code of conduct that address employee interactions with students. The applicable sections of the code of conduct may appear in a variety of district documents, including, but not limited to, portions of this Board policy, employee handbooks, and/or the code of conduct adopted by the district for use by certificated, classified, or administrative personnel as presented in the accompanying Exhibits.

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district ~~web sites~~websites. (Education Code 44050)

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 to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
<u>5 CCR 80300</u>	<u>Committee of credentials; definitions</u>
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80331-80338	Rules of conduct for professional educators
<u>Bus. Code 25608</u>	<u>Alcohol on school property; use in connection with instruction</u>
Ed. Code 200-262.4	Prohibition of discrimination
<u>Ed. Code 32100</u>	<u>Professional boundaries between adults and students and the safety of learning environments</u>
<u>Ed. Code 44010</u>	<u>Sex offense; definition</u>
<u>Ed. Code 44011</u>	<u>Controlled substance offense; definition</u>
Ed. Code 44050	Employee code of conduct; interaction with students
<u>Ed. Code 44242.5</u>	<u>Reports and review of alleged misconduct</u>

[Ed. Code 44420-44440](#)

[Ed. Code 44811](#)

[Ed. Code 44932](#)

[Ed. Code 44939.5](#)

Ed. Code 48980

[Ed. Code 49060-49070](#)

[H&S Code 104559](#)

[Pen. Code 270-273.76](#)

[Pen. Code 311-312.7](#)

Pen. Code 11164-11174.4

Federal

[20 USC 1232g](#)

[34 CFR 99.1-99.8](#)

Management Resources

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Council of Chief State School Officers
Publication
[National Policy Board for
Educational Administration](#)

National Education Association
Publication

[California School Employees Association
Publication](#)

[Commission on Teacher Credentialing
Publication](#)

WestEd Publication

Website

Website

Website

[Revocation and suspension of certification documents](#)

[Disruption of classwork or extracurricular activities](#)

[Grounds for dismissal of permanent employees](#)

[Certificated applicant screening](#)

Parent/Guardian notifications

[Student records](#)

[Tobacco use prohibition](#)

[Abandonment and neglect of children](#)

[Obscene matter](#)

Child Abuse and Neglect Reporting Act

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

[Family Educational Rights and Privacy Act](#)

Description

California Professional Standards for Educational Leaders,
February 2014

[California Standards for the Teaching Profession \(CSTP\),
October 2009](#)
[California Standards for the Teaching
Profession \(CSTP\), April 2024](#)

[\(https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12\)](https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12)

Professional Standards for Educational Leaders, 2015
[\(https://www.npbea.org/wp-content/uploads/2017/06/Professional-Standards-for-Educational-Leaders_2015.pdf\)](https://www.npbea.org/wp-content/uploads/2017/06/Professional-Standards-for-Educational-Leaders_2015.pdf)

Code of Ethics of the Education Profession, 1975 for
Educators, 2020 [\(https://www.nea.org/resource-library/code-ethics-educators\)](https://www.nea.org/resource-library/code-ethics-educators)

Code of Ethics, 1954 [\(https://csea.com/system/files/2022-06/CSEACoE.pdf\)](https://csea.com/system/files/2022-06/CSEACoE.pdf)

[California Professional Standards for Education Leaders, 2014
\(https://docs.ctc.ca.gov/Document/Download/30697\)](https://docs.ctc.ca.gov/Document/Download/30697)

Moving Leadership Standards into Everyday Work:
Descriptions of Practice, 2003-2015

CSBA District and County Office of Education Legal Services

Council of Chief State School Officers

California Federation of Teachers

Website	California School Employees Association
Website	California Teachers Association
Website	Commission on Teacher Credentialing
Website	Association of California School Administrators
<u>Website</u>	<u>National Education Association (https://www.nea.org/)</u>
Website	WestEd
Website	California Department of Education
Website	CSBA
<u>Website</u>	<u>National Policy Board for Educational Administration (https://www.npbea.org/)</u>

Cross References

Code	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0450</u>	<u>Comprehensive Safety Plan</u>
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
<u>1240</u>	<u>Volunteer Assistance</u>
<u>1240</u>	<u>Volunteer Assistance</u>
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1313	Civility
2111	Superintendent Governance Standards
3513.3	Tobacco-Free Schools

3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515.2	Disruptions
3515.2	Disruptions
3515.7	Firearms On School Grounds
3580	District Records
3580	District Records
4020	Drug And Alcohol-Free Workplace
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
<u>4111</u>	<u>Recruitment And Selection</u>
<u>4112</u>	<u>Appointment And Conditions Of Employment</u>
4112.2	Certification
4112.2	Certification
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.6</u>	<u>Personnel Files</u>
4113.5	Working Remotely
4115	Evaluation/Supervision
4115	Evaluation/Supervision
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.1	Civil And Legal Rights
4119.11	Sexual Harassment

4119.11	Sexual Harassment
4119.22	Dress And Grooming
4119.23	Unauthorized Release Of Confidential/Privileged Information
<u>4119.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4119.25	Political Activities Of Employees
4119.25	Political Activities Of Employees
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
4131	Staff Development
4132	Publication Or Creation Of Materials
4136	Nonschool Employment
4158	Employee Security
4158	Employee Security
<u>4211</u>	<u>Recruitment And Selection</u>
<u>4212</u>	<u>Appointment And Conditions Of Employment</u>
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.6</u>	<u>Personnel Files</u>
4213.5	Working Remotely
4215	Evaluation/Supervision
<u>4216</u>	<u>Probationary/Permanent Status</u>
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
4219.1	Civil And Legal Rights
4219.11	Sexual Harassment
4219.11	Sexual Harassment

4219.22	Dress And Grooming
4219.23	Unauthorized Release Of Confidential/Privileged Information
<u>4219.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4219.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4231	Staff Development
4232	Publication Or Creation Of Materials
4236	Nonschool Employment
4258	Employee Security
4258	Employee Security
<u>4311</u>	<u>Recruitment And Selection</u>
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.6</u>	<u>Personnel Files</u>
4313.5	Working Remotely
4315	Evaluation/Supervision
4317.7	Employment Status Reports
4319.1	Civil And Legal Rights
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.22	Dress And Grooming
4319.23	Unauthorized Release Of Confidential/Privileged Information
<u>4319.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4319.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
4331	Staff Development
4332	Publication Or Creation Of Materials

4336	Nonschool Employment
4358	Employee Security
4358	Employee Security
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
<u>5142</u>	<u>Safety</u>
<u>5142</u>	<u>Safety</u>
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6162.54	Test Integrity/Test Preparation
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
<u>7110</u>	<u>Facilities Master Plan</u>

Exhibit 4219.21-E(1): Professional Standards

Status: ADOPTED

Original Adopted Date: 07/01/1979 | **Last Revised Date:** 03/02/01/1991/2026 | **Last Reviewed Date:** 03/02/01/1991/2026

**CODE OF ETHICS
CLASSIFIED EMPLOYEES**

CSBA NOTE: The following exhibit reflects the Code of Ethics, as adopted by the California School Employees' Association in July 1954, which describes the skills and abilities needed by classified employees.

School employees who are in daily contact with many phases of educational work should be persons whose conduct is beyond reproach and who sincerely believe in the advancement of education and the betterment of working conditions; therefore, the California School Employees' Association (CSEA) proposes this Code of Ethics as a standard for its members.

AS A SCHOOL EMPLOYEE I WILL:

1. Be proud of my vocation in order that I may use my best endeavors to elevate the standards of my position so that I may merit a reputation for high quality of service -- to the end that others may emulate my example.
2. Be a person of integrity, clean speech, desirable personal habits, and physical fitness.
3. Be just in my criticism and be generous in my praise; to improve and not destroy.
4. At all times be courteous in my relations with students, parents/guardians, teachers and others.
5. Be a resourceful person who readily adapts himself to different kinds of work and changed conditions and finds better ways to do things.
6. Conduct myself in a spirit of friendly helpfulness to my fellow employees to the end that I will consider no personal success legitimate or ethical which is secured by taking unfair advantage of another.
7. Associate myself with employees of other districts for the purpose of discussing school problems and cooperating in the improvement of public school conditions.

8. Always uphold my obligations as a citizen to my nation, my state, my school district and my community, and give them unswerving loyalty.

9. Always bear in mind that the purpose of CSEA is to promote the efficiency and raise the standards of all school employees and that I shall be equally obligated to assist all my fellow workers.

SOURCE: CALIFORNIA SCHOOL EMPLOYEES' ASSOCIATION

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State

Description

[5 CCR 80300](#)

[Committee of credentials; definitions](#)

5 CCR 80303

Reports of change in employment status; alleged misconduct

5 CCR 80331-80338

Rules of conduct for professional educators

[Bus. Code 25608](#)

[Alcohol on school property; use in connection with instruction](#)

Ed. Code 200-262.4

Prohibition of discrimination

[Ed. Code 32100](#)

[Professional boundaries between adults and students and the safety of learning environments](#)

[Ed. Code 44010](#)

[Sex offense; definition](#)

[Ed. Code 44011](#)

[Controlled substance offense; definition](#)

Ed. Code 44050

Employee code of conduct; interaction with students

[Ed. Code 44420-44440](#)

[Revocation and suspension of certification documents](#)

[Ed. Code 44811](#)

[Disruption of classwork or extracurricular activities](#)

[Ed. Code 44932](#)

[Grounds for dismissal of permanent employees](#)

Ed. Code ~~44242~~[44939.5](#)

[Reports and review of alleged misconduct](#)[Certificated applicant screening](#)

Ed. Code 48980

Parent/Guardian notifications

[Ed. Code 49060-49-70](#)

[Student records](#)

[H&S Code 104559](#)

[Tobacco use prohibition](#)

[Pen. Code 270-273.76](#)

[Abandonment and neglect of children](#)

[Pen. Code 311-312.7](#)

[Obscene matter](#)

Pen. Code 11164-11174.4

Child Abuse and Neglect Reporting Act

Federal

[20 USC 1232g](#)

[34 CFR 99.1-99.8](#)

Management Resources

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

[Council of Chief State School Officers
Publication National Policy Board for
Educational Administration](#)

National Education Association
Publication

[California School Employees Association
Publication](#)

[Commission on Teacher Credentialing
Publication](#)

[WestEd Publication](#)

Website

Website

Website

Website

Website

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Website

[Website](#)

Website

Website

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974
Family Educational Rights and Privacy Act](#)

Description

California Professional Standards for Educational Leaders,
February 2014

[California Standards for the Teaching Profession \(CSTP\),
October 2009 California Standards for the Teaching
Profession \(CSTP\), April 2024
\(\[https://www.ctc.ca.gov/docs/default-source/educator-
prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12\]\(https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12\)\)](#)

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([https://www.npbea.org/wp-
content/uploads/2017/06/Professional-Standards-for-
Educational-Leaders_2015.pdf](https://www.npbea.org/wp-content/uploads/2017/06/Professional-Standards-for-Educational-Leaders_2015.pdf))

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standards-into-everyday-work-descriptions-of-practice-
ebook/](https://www.wested.org/resource/moving-leadership-standards-into-everyday-work-descriptions-of-practice-ebook/))

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California School Employees Association

California Teachers Association

Commission on Teacher Credentialing

Association of California School Administrators

[National Education Association \(https://www.nea.org/\)](#)

WestEd

California Department of Education

Website

CSBA

WestEd Publication [Website](#)

[Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003 National Policy Board for Educational Administration \(https://www.npbea.org/\)](#)

Cross References

Code	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.41	Charter School Oversight
0420.41	Charter School Oversight
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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
1240	Volunteer Assistance
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1312.1	Complaints Concerning District Employees
1313	Civility
2111	Superintendent Governance Standards
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515.2	Disruptions
3515.2	Disruptions
3515.7	Firearms On School Grounds
3580	District Records
3580	District Records

4020	Drug And Alcohol-Free Workplace
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
<u>4111</u>	<u>Recruitment And Selection</u>
<u>4112</u>	<u>Appointment And Conditions Of Employment</u>
4112.2	Certification
4112.2	Certification
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.6</u>	<u>Personnel Files</u>
4113.5	Working Remotely
4115	Evaluation/Supervision
4115	Evaluation/Supervision
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.1	Civil And Legal Rights
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.22	Dress And Grooming
4119.23	Unauthorized Release Of Confidential/Privileged Information
<u>4119.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4119.25	Political Activities Of Employees
4119.25	Political Activities Of Employees
<u>4121</u>	<u>Temporary/Substitute Personnel</u>

<u>4121</u>	<u>Temporary/Substitute Personnel</u>
4131	Staff Development
4132	Publication Or Creation Of Materials
4136	Nonschool Employment
4158	Employee Security
4158	Employee Security
<u>4211</u>	<u>Recruitment And Selection</u>
<u>4212</u>	<u>Appointment And Conditions Of Employment</u>
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.6</u>	<u>Personnel Files</u>
4213.5	Working Remotely
4215	Evaluation/Supervision
<u>4216</u>	<u>Probationary/Permanent Status</u>
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
4219.1	Civil And Legal Rights
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.22	Dress And Grooming
4219.23	Unauthorized Release Of Confidential/Privileged Information
<u>4219.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4219.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4231	Staff Development
4232	Publication Or Creation Of Materials

4236	Nonschool Employment
4258	Employee Security
4258	Employee Security
<u>4311</u>	<u>Recruitment And Selection</u>
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.6</u>	<u>Personnel Files</u>
4313.5	Working Remotely
4315	Evaluation/Supervision
4317.7	Employment Status Reports
4319.1	Civil And Legal Rights
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.22	Dress And Grooming
4319.23	Unauthorized Release Of Confidential/Privileged Information
<u>4319.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4319.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
4331	Staff Development
4332	Publication Or Creation Of Materials
4336	Nonschool Employment
4358	Employee Security
4358	Employee Security
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
<u>5142</u>	<u>Safety</u>
<u>5142</u>	<u>Safety</u>

5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6162.54	Test Integrity/Test Preparation
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
<u>7110</u>	<u>Facilities Master Plan</u>

Policy 4219.24: Maintaining Appropriate Adult-Student Interactions **Status:** ADOPTED

Original Adopted Date: 07/01/2019 | **Last Revised Date:** 02/01/2026 | **Last Reviewed Date:** 07/02/01/20192026

CSBA NOTE: The following optional policy may be revised to reflect district practice.

CSBA NOTE: This policy is **mandated**, pursuant to Education Code 32100, as added by SB 848 (Ch. 460, Statutes of 2025), which requires districts to, by July 1, 2026, adopt policies that (1) promote safe environments for student learning and engagement that explicitly addresses professional boundaries between (a) students and school employees, adult volunteers, and school contractors, (b) among and between students, and (c) among and between adults employed, volunteering, or under contract with the district, and (2) establishes appropriate limits on contact during or outside of the school day between students and school employees, volunteers, and school contractors via social media internet platforms, text messaging, and other forms of communication that do not otherwise include the student's parent/guardian. The limitations in this policy may vary based on the age or grade of the students and may be revised to reflect district practice. For more information regarding professional standards for district employees, see BP 4119.21/4219.21/4319.21 – Professional Standards.

For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the district.

The Governing Board desires to provide a **safe and** positive school environment that ~~protects~~**promotes** the **learning, engagement, safety,** and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, **in accordance with this policy and Board Policy 4119.21/4219.21/4319.21 – Professional Standards.** Such adults shall not engage in **threatening, unsafe,** unlawful, or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Employees are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

CSBA NOTE: Pursuant to the Child Abuse and Neglect Reporting Act (Penal Code 11164-11174.3), persons identified as "mandated reporters," including, but not limited to, school administrators, certificated staff, and classified staff, are required to report known or suspected child abuse,

including sexual assault and sexual exploitation. For required procedures for filing a report, see BP/AR 5141.4 - Child Abuse Prevention and Reporting.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

CSBA NOTE: Education Code 44050 requires districts maintaining an employee code of conduct that addresses employee interactions with students to post, in a publicly accessible manner on each school's web site [website](#) or on the district web site [website](#) if a school does not maintain one, the section(s) of the code of conduct dealing with employee-student interactions. ~~At~~ **Additionally, at** the beginning of each school year, the district ~~must also~~ **is required to** provide parents/guardians with written copies of the sections of the employee code of conduct that address employee interactions with students. The applicable sections of the code of conduct may appear in a variety of district documents, including, but not limited to, this Board policy, sections of BP/E 4119.21/4219.21/4319.21 - Professional Standards, and employee handbooks.

The district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites [websites](#). (Education Code 44050)

Inappropriate Conduct

CSBA NOTE: The following section lists examples of **prohibited** inappropriate conduct and conduct that can create the appearance of impropriety **and reflects the requirements of Education Code 32100, as added by SB 848. The list may be modified to reflect district practice and the grade levels served, so long as the list conforms with the requirements of Education Code 32100.** For additional examples of behaviors that may constitute sexual harassment of students, see BP/AR 5145.7 - Sexual Harassment

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

The Board prohibits inappropriate conduct between employees and students. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Initiating inappropriate physical contact

2. Attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature
3. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
2. 4. Being alone with a student outside of the view of others
3. 5. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent

CSBA NOTE: Education Code 32100, as added by SB 848, requires the district's policy to establish appropriate limits on contact during or outside of the school day between students and employees via social media platforms, text messaging, and other forms of communication that do not otherwise include the student's parent/guardian.

4. 6. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic communications, or other means of communication, without including the student's parent/guardian or the principal
- ~~When communicating electronically with students~~ In accordance with Board Policy/Administrative Regulation 4040 - Employee Use of Technology, employees shall use district equipment or technological resources, when available, when communicating electronically with students. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.
5. 7. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee
 6. 8. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
 7. 9. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
 8. 10. Addressing a student in an overly familiar manner, such as by using a term of endearment

9. 11. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
10. 12. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
11. 13. Transporting a student in a personal vehicle without prior authorization
12. 14. Encouraging students to confide their personal or family problems and/or relationships
13. 15. Disclosing personal, family, or other private matters to students or sharing personal secrets with students
16. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence
17. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
18. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
19. Using profane, obscene, or abusive language against students

Violations of Policy

CSBA NOTE: Pursuant to the Child Abuse and Neglect Reporting Act (Penal Code 11164-11174.3), persons identified as "mandated reporters," including, but not limited to, school administrators, certificated staff, and classified staff, and as amended by SB 848, Board members and volunteers, are required to report known or suspected child abuse, including sexual assault and sexual exploitation. For required procedures for filing a report, see BP/AR 5141.4 - Child Abuse Prevention and Reporting.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Board prohibits retaliation against anyone who reports a violation of this policy. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. Additionally, the Superintendent or designee may also notify law enforcement as appropriate.

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State	Description
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
<u>Ed. Code 32100</u>	<u>Professional boundaries between adults and students; safety of learning environments</u>
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 48980	Parent/Guardian notifications
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act

Management Resources

	Description
Website	CSBA District and County Office of Education Legal Services

Cross References

Code	Description
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0450</u>	<u>Comprehensive Safety Plan</u>
<u>1240</u>	<u>Volunteer Assistance</u>
<u>1240</u>	<u>Volunteer Assistance</u>
<u>4040</u>	<u>Employee Use of Technology</u>
<u>4040</u>	<u>Employee Use of Technology</u>
<u>4111</u>	<u>Recruitment And Selection</u>
<u>4112</u>	<u>Appointment And Conditions Of Employment</u>
<u>4112.5</u>	<u>Criminal Record Check</u>

<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.6</u>	<u>Personnel Files</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4119.21</u>	<u>Professional Standards</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4211</u>	<u>Recruitment And Selection</u>
<u>4212</u>	<u>Appointment And Conditions Of Employment</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.6</u>	<u>Personnel Files</u>
<u>4216</u>	<u>Probationary/Permanent Status</u>
<u>4219.21</u>	<u>Professional Standards</u>
<u>4311</u>	<u>Recruitment And Selection</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.6</u>	<u>Personnel Files</u>
<u>4319.21</u>	<u>Professional Standards</u>
<u>4218</u>	<u>Dismissal/Suspension/Disciplinary Action</u>
<u>4218</u>	<u>Dismissal/Suspension/Disciplinary Action</u>
<u>4218.1</u>	<u>Dismissal/Suspension/Disciplinary Action (Merit System)</u>
<u>5131</u>	<u>Conduct</u>
<u>5141.4</u>	<u>Child Abuse Prevention and Reporting</u>
<u>5141.4</u>	<u>Child Abuse Prevention and Reporting</u>
<u>5142</u>	<u>Safety</u>
<u>5142</u>	<u>Safety</u>
<u>5145.7</u>	<u>Sexual Harassment</u>
<u>5145.7</u>	<u>Sexual Harassment</u>
<u>7110</u>	<u>Facilities Master Plan</u>

Policy 4256.3: Employee Property Reimbursement

Status: ADOPTED

Original Adopted Date: 09/01/1988 | Last Revised Date: 02/01/1998²⁰²⁶ | Last Reviewed Date: 02/01/1998²⁰²⁶

CSBA NOTE: The following optional policy may be subject revised to collective bargaining agreements reflect district practice.

Option 1 is for districts that do not authorize payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

Option 2 is for districts that authorize, pursuant to Education Code 35213, payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

OPTION 1: (No reimbursement of employee personal property)

The Governing Board does not authorize payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

OPTION 1 ENDS HERE

CSBA NOTE: The remainder of this policy is for use by districts that select Option 2.

OPTION 2: (Reimbursement of employee personal property stolen or intentionally destroyed or damaged while being used for work-related purposes)

The To the extent that the full cost of repair or replacement is not covered by another source, such as an employee's private insurance, the Governing Board authorizes the Superintendent or designee to pay the remaining cost of replacing or repairing employee personal property, except cash, which has been stolen or intentionally destroyed or damaged while being used for work-related purposes.

The Board may establish a maximum value of reimbursement which shall be paid. (Education Code 35213)

No reimbursement shall be made for accidental damage or for any loss due to lack of personal supervision or failure to keep property in a secured area.

The maximum payment shall be the amount specified by the district's insurance carrier for such loss or the amount specified in the applicable collective bargaining agreement, whichever is less.

Reimbursement for personal items used for work-related purposes shall be made only if: (Education Code 35213)

1. Use of the personal property was approved by the principal, site supervisor or designee before the property was brought to school or district premises

2. At that time, the employee and district representative agreed on the value of the property

OPTION 2 ENDS HERE

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Policy Reference Disclaimer:

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State

Civ. Code 1714.1

Description

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

Ed. Code 35213

Reimbursement for loss or damage of personal property

Ed. Code 48904

Liability of parent/guardian

Management Resources

Website

Description

CSBA District and County Office of Education Legal Services

Cross References

Code

1313

Description

Civility

3512

Equipment

3512-E(1)

Equipment

3513.1

Cellular Phone Reimbursement

3515.4

Recovery For Property Loss Or Damage

3515.4

Recovery For Property Loss Or Damage

3530

Risk Management/Insurance

3530

Risk Management/Insurance

4113.5

Working Remotely

4158

Employee Security

4158

Employee Security

4213.5

Working Remotely

4258

Employee Security

4258

Employee Security

4313.5	Working Remotely
4358	Employee Security
4358	Employee Security
5131.5	Vandalism And Graffiti

Policy 4319.21: Professional Standards

Status: ADOPTED

Original Adopted Date: 07/01/2009 | **Last Revised Date:** ~~12/02/01/2017~~2026 | **Last Reviewed Date:** ~~12/02/01/2017~~2026

CSBA NOTE: The following optional policy ~~should~~may be revised to reflect district practice.

Pursuant to Education Code 32100, as added by SB 848 (Ch. 460, Statutes of 2025), districts are required to, by July 1, 2026, adopt policies that (1) promote safe environments for student learning and/ engagement that explicitly address professional boundaries between (a) students and school employees, adult volunteers, and school contractors, (b) among and between students, and (c) among and between adults employed, volunteering, or any related provisions of collective bargaining agreements under contract with the district, and (2) establish appropriate limits on contact during or outside of the school day between students and school employees, volunteers, and school contractors via social media internet platforms, text messaging, and other forms of communication that do not otherwise include the student's parent/guardian. The limitations in this policy may vary based on the age or grade of the students and may be revised to reflect district practice. For language fulfilling these mandates, see BP 4119.24/4219.24/4319.24 – Maintaining Appropriate Adult-Student Interactions.

~~The Governing~~The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students. The Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district; advances the goals of the district's educational programs; encourages student learning, engagement, and success; and contributes to a safe and positive school climate.

CSBA NOTE: The following optional paragraph encourages district employees to abide by standards developed by their professional associations. The professional standards for certificated staff have been developed by the National Education Association, the professional standards for classified staff have been developed by the California School Employees Association, and the professional standards for managerial and supervisory staff have been developed by the Commission on Teacher Credentialing (CTC), each available on their respective websites. These standards are reproduced at E(1) 4119.21 (certificated personnel), E(1) 4219.21 (classified personnel), and E(1) 4319.21 (administrative and supervisory personnel).

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/~~her~~the employee's professional responsibilities and to contribute to the learning and achievement of district students.

Inappropriate Conduct

The Board prohibits inappropriate conduct between employees, adult volunteers, and district contractors and among and between adults employed, volunteering, or under contract with the district. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers or threatens to endanger students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

CSBA NOTE: Pursuant to Penal Code 311.2, pornography includes digitally altered or artificial-intelligence-generated matter.

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity
9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

CSBA NOTE: For more information about appropriate attire for district employees, see BP 4119.22/4219.22/4319.22 - Dress and Grooming.

14. Wearing inappropriate attire

15. Other conduct prohibited in Board Policy 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR [Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting](#).

CSBA NOTE: Discipline of employees is a subject of collective bargaining. For information about the range of disciplinary actions that may be taken, see BP/AR 4118 - Dismissal/Suspension/Disciplinary Action, and AR 4218 - Dismissal/Suspension/Disciplinary Action.

Education Code 44242.5 and 5 CCR 80303 require the Superintendent to notify the Commission on Teacher Credentialing (CTC) ~~CTC~~ when the status of a certificated employee changes as a result of alleged misconduct. Although "alleged misconduct" is not defined in the law, the CTC ~~states~~ provides that conduct affecting classroom safety, student safety, or the integrity of the school environment is the type of misconduct that ~~must~~ is required to be reported. See AR 4117.7/4317.7 - Employment Status Reports.

Any reports of employee misconduct shall be promptly investigated: by the Superintendent or designee. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Notifications

CSBA NOTE: Beginning January 1, 2018, Education Code 44050, as added by AB 500 (Ch. 580, Statutes of 2017), requires districts maintaining an employee code of conduct that addresses employee interactions with students to post the section(s) on employee-student interactions in a publicly accessible manner on each school's [web site](#) [website](#), or the district [web site](#) [website](#) if a school does not maintain one. Beginning July 1, 2018 [Additionally](#), at the beginning of each school year, the district [must also](#) [is required to](#) provide parents/guardians with written copies of the sections of the employee code of conduct that address employee interactions with students. The applicable sections of the code of conduct may appear in a variety of district documents, including, but not limited to, portions of this Board policy, employee handbooks, and/or the code of conduct adopted by the district for use by certificated, classified, or administrative personnel as presented in the accompanying Exhibits.

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district [web sites](#) [websites](#). (Education Code 44050)

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State	Description
5 CCR 80300	Committee of credentials; definitions
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80331-80338	Rules of conduct for professional educators
Bus. Code 25608	Alcohol on school property; use in connection with instruction
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32100	Professional boundaries between adults and students and the safety of learning environments
Ed. Code 44010	Sex offense; definition
Ed. Code 44011	Controlled substance offense; definition
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44242.5	Reports and review of alleged misconduct

[Ed. Code 44420-44440](#)

[Ed. Code 44811](#)

[Ed. Code 44932](#)

[Ed. Code 44939.5](#)

Ed. Code 48980

[Ed. Code 49060-49070](#)

[H&S Code 104559](#)

[Pen. Code 270-273.76](#)

[Pen. Code 311-312.7](#)

Pen. Code 11164-11174.4

Federal

[20 USC 1232g](#)

[34 CFR 99.1-99.8](#)

Management Resources

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Council of Chief State School Officers
Publication [National Policy Board for
Educational Administration](#)

National Education Association
Publication

[California School Employees Association
Publication](#)

[Commission on Teacher Credentialing
Publication](#)

WestEd Publication

Website

Website

Website

[Revocation and suspension of certification documents](#)

[Disruption of classwork or extracurricular activities](#)

[Grounds for dismissal of permanent employees](#)

[Certificated applicant screening](#)

Parent/Guardian notifications

[Student records](#)

[Tobacco use prohibition](#)

[Abandonment and neglect of children](#)

[Obscene matter](#)

Child Abuse and Neglect Reporting Act

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

[Family Educational Rights and Privacy Act](#)

Description

California Professional Standards for Educational Leaders,
February 2014

[California Standards for the Teaching Profession \(CSTP\),
October 2009](#) [California Standards for the Teaching
Profession \(CSTP\), April 2024](#)
([https://www.ctc.ca.gov/docs/default-source/educator-
prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12](https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12))

Professional Standards for Educational Leaders, 2015
([https://www.npbea.org/wp-
content/uploads/2017/06/Professional-Standards-for-
Educational-Leaders_2015.pdf](https://www.npbea.org/wp-content/uploads/2017/06/Professional-Standards-for-Educational-Leaders_2015.pdf))

Code of Ethics of the Education Profession, 1975 for
Educators, 2020 ([https://www.nea.org/resource-library/code-
ethics-educators](https://www.nea.org/resource-library/code-ethics-educators))

Code of Ethics, 1954 ([https://csea.com/system/files/2022-
06/CSEACoE.pdf](https://csea.com/system/files/2022-06/CSEACoE.pdf))

[California Professional Standards for Education Leaders, 2014](#)
(<https://docs.ctc.ca.gov/Document/Download/30697>)

Moving Leadership Standards into Everyday Work:
Descriptions of Practice, 2003 [2015](#)

CSBA District and County Office of Education Legal Services

Council of Chief State School Officers

California Federation of Teachers

Website	California School Employees Association
Website	California Teachers Association
Website	Commission on Teacher Credentialing
Website	Association of California School Administrators
Website	National Education Association (https://www.nea.org/)
Website	WestEd
Website	California Department of Education
Website	CSBA
Website	National Policy Board for Educational Administration (https://www.npbea.org/)

Cross References

Code	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.41	Charter School Oversight
0420.41	Charter School Oversight
0450	Comprehensive Safety Plan
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
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1313	Civility
2111	Superintendent Governance Standards
3513.3	Tobacco-Free Schools

3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515.2	Disruptions
3515.2	Disruptions
3515.7	Firearms On School Grounds
3580	District Records
3580	District Records
4020	Drug And Alcohol-Free Workplace
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
<u>4111</u>	<u>Recruitment And Selection</u>
<u>4112</u>	<u>Appointment And Conditions Of Employment</u>
4112.2	Certification
4112.2	Certification
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.6</u>	<u>Personnel Files</u>
4113.5	Working Remotely
4115	Evaluation/Supervision
4115	Evaluation/Supervision
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.1	Civil And Legal Rights
4119.11	Sexual Harassment

4119.11	Sexual Harassment
4119.22	Dress And Grooming
4119.23	Unauthorized Release Of Confidential/Privileged Information
<u>4119.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4119.25	Political Activities Of Employees
4119.25	Political Activities Of Employees
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
4131	Staff Development
4132	Publication Or Creation Of Materials
4136	Nonschool Employment
4158	Employee Security
4158	Employee Security
<u>4211</u>	<u>Recruitment And Selection</u>
<u>4212</u>	<u>Appointment And Conditions Of Employment</u>
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.6</u>	<u>Personnel Files</u>
4213.5	Working Remotely
4215	Evaluation/Supervision
<u>4216</u>	<u>Probationary/Permanent Status</u>
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
4219.1	Civil And Legal Rights
4219.11	Sexual Harassment
4219.11	Sexual Harassment

4219.22	Dress And Grooming
4219.23	Unauthorized Release Of Confidential/Privileged Information
<u>4219.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4219.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4231	Staff Development
4232	Publication Or Creation Of Materials
4236	Nonschool Employment
4258	Employee Security
4258	Employee Security
<u>4311</u>	<u>Recruitment And Selection</u>
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.6</u>	<u>Personnel Files</u>
4313.5	Working Remotely
4315	Evaluation/Supervision
4317.7	Employment Status Reports
4319.1	Civil And Legal Rights
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.22	Dress And Grooming
4319.23	Unauthorized Release Of Confidential/Privileged Information
<u>4319.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4319.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
4331	Staff Development
4332	Publication Or Creation Of Materials

4336	Nonschool Employment
4358	Employee Security
4358	Employee Security
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
<u>5142</u>	<u>Safety</u>
<u>5142</u>	<u>Safety</u>
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6162.54	Test Integrity/Test Preparation
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
<u>7110</u>	<u>Facilities Master Plan</u>

Exhibit 4319.21-E(1): Professional Standards

Status: ADOPTED

Original Adopted Date: 11/01/2001 | **Last Revised Date:** 08/02/01/20142026 | **Last Reviewed Date:** 08/02/01/20142026

CALIFORNIA PROFESSIONAL STANDARDS FOR EDUCATIONAL LEADERS

CSBA NOTE: The following exhibit reflects the California Professional Standards for Educational Leaders (CPSEL), as adopted by the Commission on Teacher Credentialing (CTC) in February 2014, which describe the knowledge, skills, and abilities needed by school administrators. The CPSEL are the foundation for administrative services credential programs and are used by many districts for administrator induction programs and professional development. Pursuant to Education Code 44671, the CPSEL also may be used by districts as a basis for establishing criteria for evaluating principals; see BP 4315 - Evaluation/Supervision.

As provided below, the CPSEL describes six areas of responsibilities for an education leader, each of which is followed by several "elements" intended to clarify the standard and to organize and define key actions within that standard. Sample indicators, which provide examples of how an education leader might demonstrate the element or standard within his/her practice, are listed in the full CPSEL, available on the CTC's web site [website](#).

Standard 1. Development and Implementation of a Shared Vision: Education leaders facilitate the development and implementation of a shared vision of learning and growth of all students.

1A. Student-Centered Vision: Leaders shape a collective vision that uses multiple measures of data and focuses on equitable access, opportunities, and outcomes for all students.

1B. Developing Shared Vision: Leaders engage others in a collaborative process to develop a vision of teaching and learning that is shared and supported by all stakeholders.

1C. Vision Planning and Implementation: Leaders guide and monitor decisions, actions, and outcomes using the shared vision and goals.

Standard 2. Instructional Leadership: Education leaders shape a collaborative culture of teaching and learning informed by professional standards and focused on student and professional growth.

2A. Professional Learning Culture: Leaders promote a culture in which staff engages in individual and collective professional learning that results in their continuous improvement and high performance.

2B. Curriculum and Instruction: Leaders guide and support the implementation of standards-based curriculum, instruction, and assessments that address student expectations and outcomes.

2C. Assessment and Accountability: Leaders develop and use assessment and accountability

systems to monitor, improve, and extend educator practice, program outcomes, and student learning:

Standard 3. Management and Learning Environment: Education leaders manage the organization to cultivate a safe and productive learning and working environment:

3A. Operations and Facilities: Leaders provide and oversee a functional, safe, and clean learning environment:

3B. Plans and Procedures: Leaders establish structures and employ policies and processes that support students to graduate ready for college and career:

3C. Climate: Leaders facilitate safe, fair, and respectful environments that meet the intellectual, linguistic, cultural, social-emotional, and physical needs of each learner:

3D. Fiscal and Human Resources: Leaders align fiscal and human resources and manage policies and contractual agreements that build a productive learning environment:

Standard 4. Family and Community Engagement: Education leaders collaborate with families and other stakeholders to address diverse student and community interests and mobilize community resources:

4A. Parent and Family Engagement: Leaders meaningfully involve all parents/guardians and families, including underrepresented communities, in student learning and support programs:

4B. Community Partnerships: Leaders establish community partnerships that promote and support students to meet performance and content expectations and graduate ready for college and career:

4C. Community Resources and Services: Leaders leverage and integrate community resources and services to meet the varied needs of all students:

Standard 5. Ethics and Integrity: Education leaders make decisions, model, and behave in ways that demonstrate professionalism, ethics, integrity, justice, and equity and hold staff to the same standard:

5A. Reflective Practice: Leaders act upon a personal code of ethics that requires continuous reflection and learning:

5B. Ethical Decision-Making: Leaders guide and support personal and collective actions that use relevant evidence and available research to make fair and ethical decisions:

5C. Ethical Action: Leaders recognize and use their professional influence with staff and the community to develop a climate of trust, mutual respect, and honest communication necessary to consistently make fair and equitable decisions on behalf of all students:

Standard 6. External Context and Policy: Education leaders influence political, social, economic, legal, and cultural contexts affecting education to improve education policies and practices:

6A. Understanding and Communicating Policy: Leaders actively structure and participate in opportunities that develop greater public understanding of the education policy environment.

6B. Professional Influence: Leaders use their understanding of social, cultural, economic, legal, and political contexts to shape policies that lead all students to graduate ready for college and career.

6C. Policy Engagement: Leaders engage with policymakers and stakeholders to collaborate on education policies focused on improving education for all students.

SOURCE: COMMISSION ON TEACHER CREDENTIALING

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 to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
<u>5 CCR 80300</u>	<u>Committee of credentials; definitions</u>
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80331-80338	Rules of conduct for professional educators
<u>Bus. Code 25608</u>	<u>Alcohol on school property; use in connection with instruction</u>
Ed. Code 200-262.4	Prohibition of discrimination
<u>Ed. Code 32100</u>	<u>Professional boundaries between adults and students and the safety of learning environments</u>
<u>Ed. Code 44010</u>	<u>Sex offense; definition</u>
<u>Ed. Code 44011</u>	<u>Controlled substance offense; definition</u>
Ed. Code 44050	Employee code of conduct; interaction with students
<u>Ed. Code 44420-44440</u>	<u>Revocation and suspension of certification documents</u>
<u>Ed. Code 44811</u>	<u>Disruption of classwork or extracurricular activities</u>
<u>Ed. Code 44932</u>	<u>Grounds for dismissal of permanent employees</u>
Ed. Code 44242 <u>44939.5</u>	<u>Reports and review of alleged misconduct</u> <u>Certificated applicant screening</u>
Ed. Code 48980	Parent/Guardian notifications
<u>Ed. Code 49060-49-70</u>	<u>Student records</u>
<u>H&S Code 104559</u>	<u>Tobacco use prohibition</u>
<u>Pen. Code 270-273.76</u>	<u>Abandonment and neglect of children</u>

Pen. Code 311-312.7

Pen. Code 11164-11174.4

Federal

20 USC 1232g

34 CFR 99.1-99.8

Management Resources

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Council of Chief State School Officers
Publication National Policy Board for
Educational Administration

National Education Association
Publication

California School Employees Association
Publication

Commission on Teacher Credentialing
Publication

WestEd Publication

Website

Website

Website

Website

Website

Website

Website

Website

Website

Obscene matter

Child Abuse and Neglect Reporting Act

Description

Family Educational Rights and Privacy Act (FERPA) of 1974
Family Educational Rights and Privacy Act

Description

California Professional Standards for Educational Leaders,
February 2014

California Standards for the Teaching Profession (CSTP),
October 2009 California Standards for the Teaching
Profession (CSTP), April 2024
(https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/2024-cstp.pdf?sfvrsn=62eb3cb1_12)

Professional Standards for Educational Leaders, 2015
(https://www.npbea.org/wp-content/uploads/2017/06/Professional-Standards-for-Educational-Leaders_2015.pdf)

Code of Ethics of the Education Profession, 1975 for
Educators, 2020 (<https://www.nea.org/resource-library/code-ethics-educators>)

Code of Ethics, 1954 (<https://csea.com/system/files/2022-06/CSEACoE.pdf>)

California Professional Standards for Education Leaders, 2014
(<https://docs.ctc.ca.gov/Document/Download/30697>)

Moving Leadership Standards into Everyday Work:
Descriptions of Practice, 2015
(<https://www.wested.org/resource/moving-leadership-standards-into-everyday-work-descriptions-of-practice-ebook/>)

CSBA District and County Office of Education Legal Services

Council of Chief State School Officers

California Federation of Teachers

California School Employees Association

California Teachers Association

Commission on Teacher Credentialing

Association of California School Administrators

National Education Association (<https://www.nea.org/>)

WestEd

Website	California Department of Education
Website	CSBA
WestEd Publication Website	Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003 National Policy Board for Educational Administration (https://www.npbea.org/)

Cross References

Code	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.41	Charter School Oversight
0420.41	Charter School Oversight
0450	Comprehensive Safety Plan
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
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1313	Civility
2111	Superintendent Governance Standards
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515.2	Disruptions
3515.2	Disruptions
3515.7	Firearms On School Grounds
3580	District Records

3580	District Records
4020	Drug And Alcohol-Free Workplace
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
<u>4111</u>	<u>Recruitment And Selection</u>
<u>4112</u>	<u>Appointment And Conditions Of Employment</u>
4112.2	Certification
4112.2	Certification
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.6</u>	<u>Personnel Files</u>
4113.5	Working Remotely
4115	Evaluation/Supervision
4115	Evaluation/Supervision
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.1	Civil And Legal Rights
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.22	Dress And Grooming
4119.23	Unauthorized Release Of Confidential/Privileged Information
<u>4119.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4119.25	Political Activities Of Employees
4119.25	Political Activities Of Employees

<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
4131	Staff Development
4132	Publication Or Creation Of Materials
4136	Nonschool Employment
4158	Employee Security
4158	Employee Security
<u>4211</u>	<u>Recruitment And Selection</u>
<u>4212</u>	<u>Appointment And Conditions Of Employment</u>
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.6</u>	<u>Personnel Files</u>
4213.5	Working Remotely
4215	Evaluation/Supervision
<u>4216</u>	<u>Probationary/Permanent Status</u>
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
4219.1	Civil And Legal Rights
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.22	Dress And Grooming
4219.23	Unauthorized Release Of Confidential/Privileged Information
<u>4219.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4219.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4231	Staff Development

4232	Publication Or Creation Of Materials
4236	Nonschool Employment
4258	Employee Security
4258	Employee Security
<u>4311</u>	<u>Recruitment And Selection</u>
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.6</u>	<u>Personnel Files</u>
4313.5	Working Remotely
4315	Evaluation/Supervision
4317.7	Employment Status Reports
4319.1	Civil And Legal Rights
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.22	Dress And Grooming
4319.23	Unauthorized Release Of Confidential/Privileged Information
<u>4319.24</u>	<u>Maintaining Appropriate Adult-Student Interaction</u>
4319.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
4331	Staff Development
4332	Publication Or Creation Of Materials
4336	Nonschool Employment
4358	Employee Security
4358	Employee Security
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
<u>5142</u>	<u>Safety</u>

5142

5145.3

5145.3

6162.54

6162.6

6162.6

7110

Safety

Nondiscrimination/Harassment

Nondiscrimination/Harassment

Test Integrity/Test Preparation

Use Of Copyrighted Materials

Use Of Copyrighted Materials

Facilities Master Plan

Policy 4319.24: Maintaining Appropriate Adult-Student Interactions **Status:** ADOPTED

Original Adopted Date: 07/01/2019 | **Last Revised Date:** [02/01/2026](#) | **Last Reviewed Date:** [07/02/01/2019](#)[2026](#)

CSBA NOTE: The following optional policy may be revised to reflect district practice.

CSBA NOTE: This policy is mandated, pursuant to Education Code 32100, as added by SB 848 (Ch. 460, Statutes of 2025), which requires districts to, by July 1, 2026, adopt policies that (1) promote safe environments for student learning and engagement that explicitly addresses professional boundaries between (a) students and school employees, adult volunteers, and school contractors, (b) among and between students, and (c) among and between adults employed, volunteering, or under contract with the district, and (2) establishes appropriate limits on contact during or outside of the school day between students and school employees, volunteers, and school contractors via social media internet platforms, text messaging, and other forms of communication that do not otherwise include the student's parent/guardian. The limitations in this policy may vary based on the age or grade of the students and may be revised to reflect district practice. For more information regarding professional standards for district employees, see BP 4119.21/4219.21/4319.21 – Professional Standards.

For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the district.

The Governing Board desires to provide a safe and positive school environment that ~~protects~~promotes the learning, engagement, safety, and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, in accordance with this policy and Board Policy 4119.21/4219.21/4319.21 – Professional Standards. Such adults shall not engage in threatening, unsafe, unlawful, or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Employees are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

CSBA NOTE: Pursuant to the Child Abuse and Neglect Reporting Act (Penal Code 11164-11174.3), persons identified as "mandated reporters," including, but not limited to, school administrators, certificated staff, and classified staff, are required to report known or suspected child abuse,

including sexual assault and sexual exploitation. For required procedures for filing a report, see BP/AR 5141.4 - Child Abuse Prevention and Reporting.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

CSBA NOTE: Education Code 44050 requires districts maintaining an employee code of conduct that addresses employee interactions with students to post, in a publicly accessible manner on each school's web site [website](#) or on the district web site [website](#) if a school does not maintain one, the section(s) of the code of conduct dealing with employee-student interactions. At Additionally, at the beginning of each school year, the district must also is required to provide parents/guardians with written copies of the sections of the employee code of conduct that address employee interactions with students. The applicable sections of the code of conduct may appear in a variety of district documents, including, but not limited to, this Board policy, sections of BP/E 4119.21/4219.21/4319.21 - Professional Standards, and employee handbooks.

The district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites [websites](#). (Education Code 44050)

Inappropriate Conduct

CSBA NOTE: The following section lists examples of [prohibited](#) inappropriate conduct and conduct that can create the appearance of impropriety and reflects the requirements of Education Code 32100, as added by SB 848. The list may be modified to reflect district practice and the grade levels served, so long as the list conforms with the requirements of Education Code 32100. For additional examples of behaviors that may constitute sexual harassment of students, see BP/AR 5145.7 - Sexual Harassment

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

The Board prohibits inappropriate conduct between employees and students. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Initiating inappropriate physical contact

2. Attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature

3. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

2. 4. Being alone with a student outside of the view of others

3. 5. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent

CSBA NOTE: Education Code 32100, as added by SB 848, requires the district's policy to establish appropriate limits on contact during or outside of the school day between students and employees via social media platforms, text messaging, and other forms of communication that do not otherwise include the student's parent/guardian.

4. 6. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic communications, or other means of communication, without including the student's parent/guardian ~~or the principal~~

~~When communicating electronically with students~~In accordance with Board Policy/Administrative Regulation 4040 - Employee Use of Technology, employees shall use district equipment or technological resources, when available, when communicating electronically with students. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.

5. 7. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee

6. 8. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business

7. 9. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students

8. 10. Addressing a student in an overly familiar manner, such as by using a term of endearment

9. 11. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
10. 12. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
11. 13. Transporting a student in a personal vehicle without prior authorization
12. 14. Encouraging students to confide their personal or family problems and/or relationships
13. 15. Disclosing personal, family, or other private matters to students or sharing personal secrets with students
16. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence
17. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
18. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
19. Using profane, obscene, or abusive language against students

Violations of Policy

CSBA NOTE: Pursuant to the Child Abuse and Neglect Reporting Act (Penal Code 11164-11174.3), persons identified as "mandated reporters," including, but not limited to, school administrators, certificated staff, and classified staff, and as amended by SB 848, Board members and volunteers, are required to report known or suspected child abuse, including sexual assault and sexual exploitation. For required procedures for filing a report, see BP/AR 5141.4 - Child Abuse Prevention and Reporting.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Board prohibits retaliation against anyone who reports a violation of this policy. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. Additionally, the Superintendent or designee may also notify law enforcement as appropriate.

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 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 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
<u>Ed. Code 32100</u>	<u>Professional boundaries between adults and students; safety of learning environments</u>
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 48980	Parent/Guardian notifications
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act

Management Resources

Management Resources	Description
Website	CSBA District and County Office of Education Legal Services

Cross References

Code	Description
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.4</u>	<u>Charter School Authorization</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0420.41</u>	<u>Charter School Oversight</u>
<u>0450</u>	<u>Comprehensive Safety Plan</u>
<u>1240</u>	<u>Volunteer Assistance</u>
<u>1240</u>	<u>Volunteer Assistance</u>
<u>4040</u>	<u>Employee Use of Technology</u>
<u>4040</u>	<u>Employee Use of Technology</u>
<u>4111</u>	<u>Recruitment And Selection</u>
<u>4112</u>	<u>Appointment And Conditions Of Employment</u>
<u>4112.5</u>	<u>Criminal Record Check</u>
<u>4112.5</u>	<u>Criminal Record Check</u>

<u>4112.6</u>	<u>Personnel Files</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4116</u>	<u>Probationary/Permanent Status</u>
<u>4119.21</u>	<u>Professional Standards</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4121</u>	<u>Temporary/Substitute Personnel</u>
<u>4211</u>	<u>Recruitment And Selection</u>
<u>4212</u>	<u>Appointment And Conditions Of Employment</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.5</u>	<u>Criminal Record Check</u>
<u>4212.6</u>	<u>Personnel Files</u>
<u>4216</u>	<u>Probationary/Permanent Status</u>
<u>4219.21</u>	<u>Professional Standards</u>
<u>4311</u>	<u>Recruitment And Selection</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.5</u>	<u>Criminal Record Check</u>
<u>4312.6</u>	<u>Personnel Files</u>
<u>4319.21</u>	<u>Professional Standards</u>
<u>4218</u>	<u>Dismissal/Suspension/Disciplinary Action</u>
<u>4218</u>	<u>Dismissal/Suspension/Disciplinary Action</u>
<u>4218.1</u>	<u>Dismissal/Suspension/Disciplinary Action (Merit System)</u>
<u>5131</u>	<u>Conduct</u>
<u>5141.4</u>	<u>Child Abuse Prevention and Reporting</u>
<u>5141.4</u>	<u>Child Abuse Prevention and Reporting</u>
<u>5142</u>	<u>Safety</u>
<u>5142</u>	<u>Safety</u>
<u>5145.7</u>	<u>Sexual Harassment</u>
<u>5145.7</u>	<u>Sexual Harassment</u>
<u>7110</u>	<u>Facilities Master Plan</u>

Policy 4356.3: Employee Property Reimbursement

Status: ADOPTED

Original Adopted Date: 09/01/1988 | Last Revised Date: 02/01/1998²⁰²⁶ | Last Reviewed Date: 02/01/1998²⁰²⁶

CSBA NOTE: The following optional policy may be ~~subject~~^{revised} to collective bargaining agreements~~reflect district practice~~.

Option 1 is for districts that do not authorize payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

Option 2 is for districts that authorize, pursuant to Education Code 35213, payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

OPTION 1: (No reimbursement of employee personal property)

The Governing Board does not authorize payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

OPTION 1 ENDS HERE

CSBA NOTE: The remainder of this policy is for use by districts that select Option 2.

OPTION 2: (Reimbursement of employee personal property stolen or intentionally destroyed or damaged while being used for work-related purposes)

The To the extent that the full cost of repair or replacement is not covered by another source, such as an employee's private insurance, the Governing Board authorizes the Superintendent or designee to pay the remaining cost of replacing or repairing employee personal property, except cash, which has been stolen or intentionally destroyed or damaged while being used for work-related purposes.

The Board may establish a maximum value of reimbursement which shall be paid. (Education Code 35213)

No reimbursement shall be made for accidental damage or for any loss due to lack of personal supervision or failure to keep property in a secured area.

The maximum payment shall be the amount specified by the district's insurance carrier for such loss or the amount specified in the applicable collective bargaining agreement, whichever is less.

Reimbursement for personal items used for work-related purposes shall be made only if: (Education Code 35213)

1. Use of the personal property was approved by the principal, site supervisor or designee before the property was brought to school or district premises

2. At that time, the employee and district representative agreed on the value of the property

OPTION 2 ENDS HERE

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 to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Civ. Code 1714.1

Description

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

Ed. Code 35213

Reimbursement for loss or damage of personal property

Ed. Code 48904

Liability of parent/guardian

Management Resources

Website

Description

CSBA District and County Office of Education Legal Services

Cross References

Code

1313

Description

Civility

3512

Equipment

3512-E(1)

Equipment

3513.1

Cellular Phone Reimbursement

3515.4

Recovery For Property Loss Or Damage

3515.4

Recovery For Property Loss Or Damage

3530

Risk Management/Insurance

3530

Risk Management/Insurance

4113.5

Working Remotely

4158

Employee Security

4158

Employee Security

4213.5

Working Remotely

4258

Employee Security

4258

Employee Security

4313.5

Working Remotely

4358

Employee Security

4358

Employee Security

5131.5

Vandalism And Graffiti

Policy 5144.1: Suspension And Expulsion/Due Process

Status: ADOPTED

Original Adopted Date: 12/01/2014 | **Last Revised Date:** 09/02/01/20242026 | **Last Reviewed Date:** 09/02/01/20242026

CSBA NOTE: Education Code 35291 requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. Education Code 48918 **mandates** the setting of rules and regulations for student expulsion as specified in this Board policy and the accompanying administrative regulation.

While recognizing that suspension or expulsion of students is sometimes necessary, legislative, administrative, regulatory, civic, and educational leaders are united in the belief that instructional time should be used for student learning purposes and that school discipline should be imposed in a way that, as much as possible, does not exclude students from school or limit their ability or opportunity to learn. The U.S. Department of Education's (USDOE) March 2023, "Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates," states that unfair student discipline can result in a negative school climate, and an array of serious educational, economic, social, and emotional problems, including school avoidance and diminished educational engagement, decreased academic achievement, increased behavior problems, an increased likelihood of repeating a grade or dropping out, and involvement with the juvenile justice system. Consequently, USDOE recommends districts ensure the fair administration of student discipline in ways that treat students with dignity and respect while using a continuum of supports to increase student success and promote positive and supportive school environments that support students and keep them in the classroom learning as much as possible. Additionally, USDOE recommends schools to adopt a coordinated system of whole school evidence-based intervention practices that are more effective than exclusionary discipline in addressing student behavior and improving school climate and safety, such as positive behavioral interventions and supports; trauma-informed practices; social and emotional wellbeing; and restorative practices.

Pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless the student has been subjected to other means of correction which have failed to bring about proper conduct. Such other means of correction include, but are not limited to, conferences between school personnel, the student, and the student's parent/guardian; use of study, guidance, or other intervention teams to develop a plan to address the behavior in partnership with the student; referral for behavioral supports; and participation in restorative justice programs. Additionally, pursuant to Education Code 48900.5, as amended by AB 1165 (Ch. 22, Statutes of 2023), districts are encouraged to have a student who has been suspended, or for whom other means of correction have been implemented, for an incident of racist bullying, harassment, or intimidation, as well as the victim, to engage in a restorative justice practice suitable to address the needs of both the victim and the perpetrator, as specified in the accompanying administrative regulation. For further information about specific disciplinary strategies, including alternatives to class or school removals, see BP/AR 5144 - Discipline.

Education Code 48900.5 authorizes a district to document in a student's records the alternative

means of correction used to address the student's behavior. Furthermore, when a student is being suspended by the Superintendent, principal, or designee, Education Code 48911 requires that the student be informed, during the informal conference that precedes the suspension, of the other means of correction that were attempted before the suspension.

Pursuant to Education Code 48913.5, when a student in any of grades 1-12 has been suspended for two or more school days, the student's parent/guardian, or other person holding the right to make educational decisions for the student, may request homework that the student would otherwise have been assigned, and the student's teacher is required to provide such homework; [For more information regarding homework requests for students who have been suspended](#), see BP 6154 - Homework/Makeup Work.

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

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

CSBA NOTE: Pursuant to Education Code 48900(s), a student may be subject to discipline only when the violation is related to a school activity or school attendance as specified below. A student may also be disciplined for a violation committed away from school if it is related to a school activity or to school attendance. For example, Education Code 48900 defines bullying by means of an electronic act as including an act that originates off campus; see the accompanying administrative regulation and BP/AR 5131.2 - Bullying. Another example is the hostile school environment which a victim may suffer from sexual harassment that occurs off campus; [In general, courts have upheld discipline of students for off-campus conduct that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities, provided that the district was able to document the impact or disruption that the conduct had, or could be expected to have, on school activities. Additionally, courts have analyzed the reasonableness of the discipline and whether the disciplinary action taken was in proportion to the student's misbehavior. For more information regarding the definition of bullying, see the accompanying administrative regulation and BP/AR 5131.2 - Bullying. For more information regarding the protection of students against sexual harassment, see BP/AR 5145.7 - Sexual Harassment. See also BP 5131 -- Conduct and BP/AR 5145.2 - Freedom of Speech/Expression.](#)

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

1. While on school grounds
2. While going to or coming from school

3. During the lunch period, whether on or off the school campus

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

Off campus behavior may result in discipline when it disrupts district programs and activities or as otherwise prohibited by law, Board policy, or administrative regulation.

CSBA NOTE: The following paragraph addresses the problem of unlawful discrimination in the administration of student discipline. In their joint March 2023 publication, "Resource on Confronting Racial Discrimination in Student Discipline," the USDOE Office for Civil Rights and The California Department of Justice, Civil Rights Division noted Education's (CDE) May 2025 letter, "Update Regarding School Discipline Policies," states that, based on decades of enforcement activity, discrimination based on race, color, and national origin in student discipline continues to be a significant concern and that disparities by race have persisted in the application of student discipline in schools.

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

Appropriate Use of Suspension Authority

CSBA NOTE: Education Code 48900.5 requires districts to use other means of correction instead of suspension, except when a student commits certain enumerated offenses. The following section reflects legislative intent regarding appropriate use of suspension as a means of disciplining students and may be modified to reflect district practice.

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

CSBA NOTE: The following optional paragraph may be revised to reflect district practice.

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

CSBA NOTE: Education Code 48900(k), as amended by SB 274 (Ch. 597, Statutes of 2023), extends) prohibits the ~~prohibition from suspending~~ suspension of a student for disruption or willful defiance, ~~formerly applicable to students in grades K-8, to all students~~. Suspension of a student in grades 6-12 for disruption or willful defiance is prohibited until July 1, 2029. However, teachers may still suspend a student from class for willful defiance pursuant to Education Code section 48910. As part of the other means of correction specified in Education Code 48900.5, employees may also refer students for timely in-school interventions or supports for disruption or willful defiance.

Pursuant to Education Code 48900, if a student is referred on this basis, school administrators, are required to inform the referring employee within five business days, verbally or in writing, of the actions taken and, if none, the rationale for not providing any timely in-school interventions or

supports. See [For more information regarding suspension of a student from class for willful defiance.](#) [see](#) "Suspension from Class by a Teacher" in the accompanying administrative regulation.

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

CSBA NOTE: Pursuant to Education Code 48900(w), as amended by SB 274, a student may not be suspended or expelled based solely on the fact that they are truant, tardy, or otherwise absent from school activities.

Students shall not be suspended or expelled based solely on a student's truancy, tardiness, or absenteeism from assigned school activities. (Education Code 48900)

On-Campus Suspension

CSBA NOTE: As an alternative to off-campus suspension, Education Code 48911.1 authorizes a supervised suspension classroom program for students who pose no imminent danger to anyone at school and who have not been recommended for expulsion, as specified below.

The following optional section is for use by districts implementing a supervised suspension classroom program. Such districts may continue to claim funding apportionments for students so assigned, provided they meet specific criteria which are set forth under "On-Campus Suspension" in the accompanying administrative regulation. A district does not receive funding for off-campus suspensions.

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

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

Authority to Expel

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

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

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

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, or 289, or former 288a, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

CSBA NOTE: Pursuant to Education Code 35012, the Board may authorize a student Board member(s) to make restorative justice recommendations regarding expulsions if certain conditions are met. The following optional two paragraphs are for use by districts that choose to grant such authority.

On a case-by-case basis, a student Board member(s) may make restorative justice recommendations to the Board regarding specific expulsion matters, in accordance with Board Bylaw 9150 – Student Board Members.

A vote to expel a student shall be taken in an open session of a Board meeting. (Education Code 48918(j))

CSBA NOTE: Pursuant to Education Code 48917, the Board may suspend the enforcement of an expulsion order as long as a student satisfies specific criteria. See [For more information regarding the criteria for suspending the enforcement of an expulsion](#), see "Decision to Suspend Expulsion Order" in the accompanying administrative regulation for criteria. In addition, **Additionally**, the Attorney General opined, in 80 Ops.Cal.Atty.Gen. 85 (1997), that the enforcement of an expulsion order may be suspended even in those cases where the student has committed an offense for which expulsion is required by law. **It is recommended that the district consult** CSBA's District and County Office of Education Legal Services or district legal counsel **should be consulted as appropriate when questions arise regarding the suspension of the enforcement of an expulsion order.**

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

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

CSBA NOTE: The following paragraph is for use by districts that contract with the California Department of Education (CDE) to operate a California State Preschool Program. Education Code 8489.1 prohibits the expulsion or disenrollment of a child in a preschool program unless the district has taken specified steps, the child's continued enrollment would present a serious safety threat to the child or other enrolled children, and the district refers the child's parents/guardians to other appropriate placements. For further details regarding the steps the district mustis required to take prior to expelling a child, see AR 5148.3 - Preschool/Early Childhood Education.

No child enrolled in a preschool program shall be expelled or unenrolled except under limited circumstances in accordance with Education Code 8489.1 and as specified in Administrative Regulation 5148.3 - Preschool/Early Childhood Education.

Due Process

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

Maintenance and Monitoring of Outcome Data

Plan for Rehabilitation

CSBA NOTE: Pursuant to Education Code 48916, as amended by AB 1230 (Ch. 294, Statutes of 2025), the Board is required to recommend a plan for the student's rehabilitation, as specified below.

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, in accordance with the accompanying administrative regulation.

Maintenance and Monitoring of Outcome Data

CSBA NOTE: Education Code 48900.8 and 48916.1, as amended by AB 1230, require the district to maintain data related to suspensions and expulsions as provided below. Pursuant to Education Code 48916.1, the Superintendent of Public Instruction may require submission of such data as part of the Federal Program Monitoring process. In addition Additionally, 20 USC 7961 requires districts to submit to CDE a description of the circumstances surrounding any expulsions based on bringing or possessing a firearm on campus, including the name of the school, the number of students expelled, and the type of firearms involved.

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the: (Education Code 48900.8, 48916.1) 1. The number of students recommended for expulsion; the

2. The grounds for each recommended expulsion; the
3. The actions taken by the Board, including whether the student was subsequently expelled and whether the expulsion order was suspended
4. The types of referral made after each expulsion; and the
5. The disposition of the students after the expulsion period: , including the completion of a rehabilitation plan or the successful readmission of the student, or both
6. The average length of expulsion terms, including any extensions

For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board at least annually and to the California Department of Education when so required.

CSBA NOTE: Pursuant to Education Code 52060, districts are required to address school climate in the local control and accountability plan, as measured by student suspension and expulsion rates and other local measures for each school and each numerically significant student subgroup. Education Code 52052, as amended by SB 114 (Ch. 48, Statutes of 2023), defines numerically significant subgroups to 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 presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, long-term English learners, students with disabilities, foster youth, and ~~homeless~~ students experiencing homelessness. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan, which may include monitoring intervention effectiveness.

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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State	Description
Civ. Code 47	Privileged communication
Civ. Code 48.8	Defamation liability
Code of Civil Procedure 1985-1997	Production of evidence; means of production
Ed. Code 17292.5	Program for expelled students; facilities
Ed. Code 1981-1983	Enrollment of students in community school

Ed. Code 212.5	Sexual harassment
Ed. Code 233	Hate violence
Ed. Code 32260-32262	Interagency School Safety Demonstration Act of 1985
<u>Ed. Code 35012</u>	<u>Board members; number, election, and terms</u>
Ed. Code 35145	Open board meetings
Ed. Code 35146	Closed sessions regarding suspensions
Ed. Code 35291	Rules for government and discipline of schools
Ed. Code 35291.5	Rules and procedures on school discipline
Ed. Code 48645.5	Former juvenile court school students; enrollment
Ed. Code 48660-48666	Community day schools
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49073-49079	Privacy of student records
Ed. Code 52052	Numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 64000-64001	Consolidated application
Ed. Code 8489-8489.1	Prohibition against expulsion of preschool student
Gov. Code 11455.20	Informal hearing procedures
Gov. Code 54950-54963	The Ralph M. Brown Act
H&S Code 11014.5	Drug paraphernalia
H&S Code 11053-11059	Controlled substances; standards and schedules
Lab. Code 230.7	Employee time off to appear in school on behalf of a child
Pen. Code 240	Assault defined
Pen. Code 241.2	Assault fines
Pen. Code 242	Battery defined
Pen. Code 243.2	Battery on school property
Pen. Code 243.4	Sexual battery
Pen. Code 245	Assault with deadly weapon
Pen. Code 245.6	Hazing

Pen. Code 261	Rape defined
Pen. Code 266c	Unlawful sexual intercourse
Pen. Code 286	Sodomy defined
Pen. Code 287	Oral Copulation
Pen. Code 288	Lewd or lascivious acts with child under age 14
Pen. Code 289	Penetration of genital or anal openings
Pen. Code 31	Principal of a crime; defined
Pen. Code 417.27	Laser pointers
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes; harassment
Pen. Code 422.7	Aggravating factors for punishment
Pen. Code 422.75	Enhanced penalties for hate crimes
Pen. Code 626.10	Dirks, daggers, knives, razors, or stun guns
Pen. Code 626.2	Entry upon campus after written notice of suspension or dismissal without permission
Pen. Code 626.9	Gun-Free School Zone Act of 1995
Pen. Code 868.5	Supporting person; attendance during testimony of witness
W&I Code 224.1	Indian child; definition
W&I Code 729.6	Counseling
Federal	Description
18 USC 921	Definitions; firearms and ammunition
20 USC 1415(K)	Students with disabilities; placement in alternative educational setting
20 USC 7961	Gun-Free Schools Act
<u>34 CFR 106.1-106.82</u>	<u>Nondiscrimination on the basis of sex in education programs or activities</u>
42 USC 11431-11435	Education of homeless children and youths
Management Resources	Description
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 348 (1997)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 85 (1997)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 91 (1997)
Attorney General Opinion	84 Ops.Cal.Atty.Gen. 146 (2001)

Court Decision	Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321
Court Decision	Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
Court Decision	Garcia v. Los Angeles Board of Education (1981) 123 Cal. App. 3d 807
Court Decision	John A. v. San Bernardino School District (1982) 33 Cal. 3d 301
Court Decision	T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
Court Decision	Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub California Department of Education Publication	Resource on Confronting Racial Discrimination in Student Discipline, May 2023 Update Regarding School Discipline Policies, May 2025 (https://www.cde.ca.gov/nr/fa/yr25cosoltr0501.asp)
U.S. DOE Publication	School Climate and Student Discipline Resources
U.S. DOE Publication	Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates, March 2023
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Office of Safe and Healthy Students
Website	California Attorney General's Office
Website	California Department of Education
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1312.3	Uniform Complaint Procedures

1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
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3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
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4258	Employee Security
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4358	Employee Security
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5112.1	Exemptions From Attendance
5112.1	Exemptions From Attendance
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5113	Absences And Excuses
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5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision

5116.2	Involuntary Student Transfers
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5117	Interdistrict Attendance
5119	Students Expelled From Other Districts
5125	Student Records
5125	Student Records
5125.2	Withholding Grades, Diploma Or Transcripts
5131	Conduct
5131.1	Bus Conduct
5131.1	Bus Conduct
5131.2	Bullying
5131.2	Bullying
5131.4	Student Disturbances
5131.4	Student Disturbances
5131.5	Vandalism And Graffiti
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs
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5131.62	Tobacco
5131.63	Steroids
5131.63	Steroids
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5131.7	Weapons And Dangerous Instruments
5137	Positive School Climate
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5142	Safety
5142	Safety
5144	Discipline
5144	Discipline
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5144.4	Required Parental Attendance

5144.4	Required Parental Attendance
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.2	Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.71	Title IX Sexual Harassment Complaint Procedures
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures
5145.9	Hate-Motivated Behavior
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6145.5	Student Organizations And Equal Access
6145.5	Student Organizations And Equal Access
6145.8	Assemblies And Special Events
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6154	Homework/Makeup Work
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6158	Independent Study
6161.2	Damaged Or Lost Instructional Materials
6163.4	Student Use Of Technology
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Regulation 5144.1: Suspension And Expulsion/Due Process

Status: ADOPTED

Original Adopted Date: 12/01/2014 | Last Revised Date: ~~09~~02/01/2024~~2026~~ | Last Reviewed Date: ~~09~~02/01/2024~~2026~~

CSBA NOTE: CSBA recommends that this administrative regulation be approved by the Governing Board, regardless of regular district practice regarding the approval of administrative regulations.

Education Code 35291 requires the Board to adopt rules and regulations, which are not inconsistent with law or rules adopted by the State Board of Education, for the government and discipline of the schools under its jurisdiction. ~~In addition~~ **Additionally**, Education Code 48918 and 48918.5 **mandate** that districts adopt rules concerning the due process rights of students in expulsion situations, and Education Code 48916 **mandates** procedures for filing and processing requests for readmission. Specific language complying with these mandates is included throughout this administrative regulation.

Definitions

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910, so long as removal from a particular class does not occur more than once every five school days

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

Notice of Regulations

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

Grounds for Suspension and Expulsion: Grades K-12

CSBA NOTE: The acts for which students may be suspended or expelled are specified in law, the following section, and "Additional Grounds for Suspension and Expulsion: Grades 4-12," below. The

Board does not have authority to add to those enumerated acts. However, the Board has authority to prohibit suspension or expulsion for certain acts for which suspension or expulsion is permissible rather than mandatory. The Board may consider limiting the use of suspension and expulsion for such offenses as part of the district plan to address school climate within the local control and accountability plan required pursuant to Education Code 52060. Additionally, pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless other means of correction have failed to bring about proper conduct.

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

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

CSBA NOTE: The Attorney General, in 80 Ops.Cal.Atty.Gen. 91 (1997), determined that a student may be expelled for "possession" of a firearm if the student knowingly and voluntarily had direct control over the firearm. The only exceptions are when the student has permission from school officials to possess the firearm (, pursuant to Education Code 48900 and 48915), or when the possession is brief and solely for the purpose of disposing of the firearm, such as handing it to school officials. ~~Note that~~ A "firearm" for these purposes does not include "imitation firearm," which is listed separately in Item #12, below. See For more information regarding firearms, see BP/AR 5131.7 - Weapons and Dangerous Instruments.

Pursuant to Penal Code 417.27, students are prohibited from possessing a laser pointer on school premises, except for a valid instructional or other school-related purpose. See For more information regarding laser pointers as it relates to student conduct, see BP 5131 - Conduct.

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the same as a controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

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

CSBA NOTE: Pursuant to 34 CFR 106.44, a student may be removed in emergency situations due to an immediate threat to the physical health or safety of any student or other individual as specified in AR 5145.71 – Title IX Sexual Harassment Complaint Procedures. 34 CFR 106.44 requires that a student should not be "disciplined" prior to a finding being made pursuant to the grievance process established by 34 CFR 106.45. Due to this nuanced distinction between "discipline" and "emergency removal," it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel as to the manner of imposing an emergency removal.

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 289, or former 288a, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))

No student may be disciplined prior to a finding being made pursuant to the grievance process established by 34 CFR 106.45, in accordance with Administrative Regulation 5145.71 Title IX Sexual Harassment Complaint Procedures. However, a district may conduct a non-discipline removal of a student in emergency situations where there is an immediate threat to the health or safety of any student or other individual.

14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code

48900(o))

15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))

16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

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

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

CSBA NOTE: Education Code 48900(r) defines "bullying" as "any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of electronic act," which is directed toward a student and which would have serious detrimental consequences upon a reasonable student. Pursuant to Education Code 48900, a student may be disciplined for bullying by means of an electronic act even when the act originated off campus. **See also [For more information regarding the protection of students against bullying, see AR 5131.2 - Bullying.](#)**

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student(s) in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

CSBA NOTE: "Bullying" ~~also would include~~ **includes** any act of sexual harassment, hate violence, or harassment, threat, or intimidation committed by a student at any grade level, as set forth in Education Code 48900.2, 48900.3, or 48900.4, when the act results in harm to a reasonable student as specified in the above paragraph. However, when bullying is found under these circumstances, students below grade 4 may be disciplined for the "bullying" but not for the underlying act of sexual harassment, hate violence, or harassment, threat, or intimidation as specified below in "Additional Grounds for Suspension and Expulsion: Grades 4-12."

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

Bullying also includes an act of cyber sexual bullying by a student through the

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

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

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

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

Burn page means an internet website created for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Credible impersonation means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that the student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated. (Education Code 48900(r))

False profile means a profile of a fictitious student or profile using the likeness or attributes of an actual student other than the student who created the false profile. (Education Code 48900(r))

An electronic act is not considered pervasive conduct solely on the basis that it has been transmitted to the internet or is currently posted on the internet. (Education Code 48900(r))

CSBA NOTE: The following paragraph may be revised to reflect district practice. Pursuant to Education Code 48900.5, as amended by AB 1165 (Ch. 22, Statutes of 2023), the district is encouraged to have a student who has been suspended, or for whom other means of correction have been implemented pursuant to Education Code 48900.5 for an incident of racist bullying, harassment, or intimidation, as well as the victim, to engage in a restorative justice practice suitable to address the needs of both the victim and the perpetrator, in addition to the other measures specified in the following paragraph.

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or

intimidation, the principal or designee may, as appropriate, engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. ~~The~~Additionally, the principal or designee shall~~may~~ also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

CSBA NOTE: Education Code 48900(t) allows for the suspension, but not expulsion, of a student who "aids or abets," as defined in Penal Code 31, the infliction or attempted infliction of physical injury to another person. The term "aiding or abetting," is a complex legal term and requires that, at the time the crime was committed, the aider or abettor was aware of the crime and specifically intended to commit the crime. Because of the complexities of criminal law, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel ~~should be consulted,~~ as appropriate.

Pursuant to Education Code 48900(t), any student who aids or abets a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury is subject to suspension or expulsion as provided in Item #1 above.

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

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

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

CSBA NOTE: Pursuant to Education Code 48900, as amended by SB 274 (Ch. 597, Statutes students who voluntarily disclose their use of 2024), until July 1, 2029, a controlled substance, alcohol, an intoxicant of any kind, or tobacco product in order to seek help through services or supports may not be suspended solely for that disclosure.

However, students who voluntarily disclose their use of a controlled substance, alcohol, an intoxicant of any kind, or tobacco in order to seek help through services or supports may not be suspended solely for that disclosure. (Education Code 48900)

CSBA NOTE: Although a district may not suspend a student in any of grades 6K-12 for disruption or willful defiance. Together with previous amendments, this means that no K-12 student may be suspended for disruption or willful defiance.

However, pursuant to Education Code 48900, as amended by SB 274, a certificated or classified employee may refer a student for appropriate and timely in-school interventions or supports as

specified in Education Code 48900.5 for ~~disruption or willful defiance~~ such conduct. By the end of the fifth business day, a school administrator is required to inform the referring employee, verbally or in writing, of the actions taken and if none, the rationale for not providing any timely in-school interventions or supports. Additionally, pursuant to Education Code 48910, teachers may still suspend a student from class for disruption or willful defiance as specified in "Suspension from Class by a Teacher," below.

A student may not be suspended or expelled for disruption or willful defiance. (Education Code 48900)

Additional Grounds for Suspension and Expulsion: Grades 4-12

CSBA NOTE: The following section applies only to students in grades 4-12 and may be revised to reflect grade levels offered by the district.

As discussed in Item #17 of "Grounds for Suspension and Expulsion: Grades K-12" above, although Education Code 48900(r) defines bullying to include acts involving Items #1-3 below, Education Code 48900.2-48900.4 provide that only students in grades 4-12 may be suspended or expelled for the individual acts that constitute sexual harassment, hate violence, and harassment. Because the interplay between "bullying" and Items #1-3 can raise complex legal issues, it is recommended that districts ~~should~~ consult CSBA's District and County Office of Education Legal Services or district legal counsel, as appropriate.

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

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

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

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

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

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the

rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

Suspension from Class by a Teacher

CSBA NOTE: The following section is optional and may be revised to reflect district practice. As stated above, Although Education Code 48900(k), as amended by SB 274, extends prohibits the prohibition from suspending suspension a student in grades K-12 for disruption or willful defiance, formerly applicable to students in grades K-8, to all students. Suspension of a student in grades 6-12 for disruption or willful defiance is prohibited until July 1, 2029. However, teachers may still suspend a student from class for disruption or willful defiance pursuant to Education Code 48910. As Additionally, as part of the other means of correction specified in Education Code 48900.5, employees may also refer students for timely in-school interventions or supports for disruption or willful defiance. Pursuant to Education Code 48900, if a student is referred on this basis, school administrators, are required to inform the referring employee within five business days, verbally or in writing, of the actions taken and, if none, the rationale for not providing any timely in-school interventions or supports.

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as Items #1-19 under "Grounds for Suspension and Expulsion: Grades K-12" above or for disruption or willful defiance at any grade level. (Education Code 48910)

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

As soon as possible after the teacher has suspended the student, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if requested by the parent/guardian or teacher. (Education Code 48910)

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

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

A Additionally, a teacher may also refer a student, for any of the acts specified above in Education Code 48900, to the principal or designee for consideration of a suspension from school. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete

any assignments and tests missed during the removal. (Education Code 48913)

Suspension by Superintendent, Principal, or Principal's Designee

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

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity away from school to have committed any of the acts listed in the [accompanying](#) Board policy under "Authority to Expel" for which a recommendation of expulsion is required. (Education Code 48915(c))

CSBA NOTE: Education Code 48900.5 limits situations warranting suspension for a first offense to when the violation involves Education Code 48900(a)-(e) or the student's presence causes a danger to persons.

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

CSBA NOTE: Pursuant to Education Code 48900 and 48915, except for certain egregious acts or offenses for which suspension is permissible or mandatory, as specified above pursuant to Education Code 48915(a) or (c), the Superintendent or principal is authorized to provide an alternative, age-appropriate disciplinary measure that is tailored to correct a student's specific misbehavior. In addition, the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline (which has been under review by DOJ and OCR since July 30, 2021), recommend that effective alternatives to suspension and expulsion be implemented for correcting student misbehavior. For a list of appropriate alternatives, see AR 5144 - Discipline.

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

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

Length of Suspension

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

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school or class, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

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

Due Process Procedures for Suspension

CSBA NOTE: District disciplinary procedures are generally subject to basic constitutional due process requirements, such as the provision of notice and/or hearing, especially with respect to suspension, involuntary transfer, expulsion, or other serious disciplinary actions. However, when dealing with certain categories of students, additional procedures apply. For example, when considering suspension of a student who is a foster youth or Indian child, as defined in Welfare and Institutions Code 224.1, Education Code 48853.5, 48911, 48911.1, and 48915.5 require that the foster youth's educational rights holder, attorney, and county social worker receive specified notifications in relation to the suspension, and for an Indian child, the child's tribal social worker, and if applicable, county social worker. See Items #1, 3, 5, and ~~6~~5 below.

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal:

_____ At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence in the student's defense. (Education Code 48911)

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

CSBA NOTE: Item #2 below should be revised to reflect the district's processing and reporting procedures.

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee.

_____ A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone.

_____ Whenever a student is suspended, the parent/guardian, or, if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, shall also be notified in writing of the suspension. (Education Code 48911)

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

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

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

If school officials request to meet with the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, the notice may state that the law requires such individuals to respond to the request without delay. However, the student shall not be penalized for the failure of the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, to attend such a conference. The student may not be denied reinstatement solely because such individuals failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

- a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard

This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

- b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process

CSBA NOTE: When the student being considered for expulsion is a foster youth or Indian child, Education Code 48911 and 48918.1 require the district to invite the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker or, if applicable, the county social worker, to the meeting specified above. [See For more information regarding this notice, see "Additional Notice of Expulsion Hearing for Foster Youth, Homeless Students Experiencing Homelessness, and Indian Children," below.](#)

- c. If the student involved is a foster youth or Indian child, the Superintendent or designee shall notify the district's educational liaison of the need to invite the foster youth's educational rights holder, attorney and county social worker, or the Indian child's tribal social worker or, if applicable, the county social worker, to attend the meeting (Education Code 48853.5, 48911, 48918.1)

CSBA NOTE: Pursuant to Education Code 48918.1, the district's liaison for homeless students [must be required to](#) be notified when the student being considered for expulsion is a student experiencing homelessness. [See For more information regarding this notice, see "Additional Notice of Expulsion Hearing for Foster Youth and Homeless, Students Experiencing Homelessness, and Indian Children," below.](#)

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

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. Since Education Code 48900 and 48900.5 require a district, under certain circumstances, to use alternative disciplinary measures prior to imposing suspension, including supervised suspension, the district may, as necessary, provide services that would address the student's specific misbehavior along with the suspension program. For example, the district may require the student to enroll in a program that teaches prosocial behavior or anger management even while the student is suspended.

- e. In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct the behavior and keep the student in school

Suspension by the Board

CSBA NOTE: The following optional section reflects the Board's authority to suspend students from school pursuant to Education Code 48912. In practice, it is impractical for boards to directly exercise this authority since circumstances warranting suspension usually require quick and sometimes immediate action which may not be possible for a board due to legal requirements for taking board actions, such as having a meeting.

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

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

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

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

On-Campus Suspension

CSBA NOTE: The following optional section is for use by any district establishing an on-campus suspension program pursuant to Education Code 48911.1. However, pursuant to Education Code 48900.5, such a district is required to use other means of correcting a student's behavior before imposing a supervised suspension, unless such a supervised suspension is otherwise permitted by law for a student's first offense. Use of a supervised suspension classroom program does not in any way limit the district's ability to transfer a student to an opportunity school or class or a continuation education school or class in accordance with law.

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

1. The on-campus suspension classroom shall be staffed in accordance with law
2. The student shall have access to appropriate counseling services
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension
4. The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom and the teacher(s) shall provide all assignments and tests that the student will miss while suspended

If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian, or if the student is a foster youth, the foster youth's

educational rights holder, attorney, and county social worker, or, if the student ~~is~~ an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, in person, by email, or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Superintendent or Principal's Authority to Recommend Expulsion

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

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11059, except for:
 - a. The first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
 - b. The student's possession of over-the-counter medication for use by the student for medical purposes
 - c. Medication prescribed for the student by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

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

Student's Right to Expulsion Hearing

CSBA NOTE: Education Code 48918 **mandates** that the Board establish rules and regulations governing procedures for the expulsion of students. The timelines of Education Code 48918 **must are required to** be strictly followed; failure to do so may result in loss of the district's power to act (*Garcia v. Los Angeles Board of Education*). In calculating timelines, the district should also be aware of the difference between the calculation of "school days" and "calendar days" under Education Code 48918.

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

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

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

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

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

Stipulated Expulsion

CSBA NOTE: The following section is optional and may be revised to reflect district practice. "Stipulated expulsion" is for districts that have adopted an expedited procedure which allows a student to waive the right to a pre-expulsion hearing in exchange for an agreement as to the terms of the expulsion. Such waivers are not specifically addressed in law and districts should ensure that the due process rights of students are included in the stipulated agreement and are clearly explained before the agreement is signed. ~~Districts should~~ **It is recommended that districts** consult with CSBA's District and County Office of Education Legal Services or district legal counsel as appropriate.

After a determination that a student has committed an offense for which the student may be expelled, the Superintendent, principal, or designee shall offer the student, the student's parent/guardian, or, when applicable, other person holding the right to make educational decisions for the student, the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after written notice of the expulsion hearing pursuant to Education Code 48918 has been given.

The stipulation agreement shall be in writing and shall be signed by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student, shall be effective upon approval by the Board.

Rights of Complaining Witness

CSBA NOTE: Education Code 48918.5 **mandates** the following rights related to the treatment of witnesses alleging acts of sexual assault or sexual battery. Other procedures related to complaining witnesses ~~also~~ may be added as desired by the district. Additional mandated procedures related to the rights and treatment of complaining witnesses are included where appropriate throughout this regulation.

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

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

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness testifies

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

Written Notice of the Expulsion Hearing

CSBA NOTE: Education Code 48918 **mandates** the Board to adopt procedures that include the following items.

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

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based

3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

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

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

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

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

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

Additional Notice of Expulsion Hearing for Foster Youth, Homeless Students Experiencing Homelessness, and Indian Children

CSBA NOTE: Prior to conducting an expulsion hearing to determine whether a foster youth or Indian child should be expelled, Education Code 48918.1 requires the district to notify the foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker and, if applicable, county social worker, provided that the violation does not require a mandatory recommendation for expulsion. Pursuant to Education Code 48918.1, such additional notice must be required to be given to the district liaison for homeless students when the student involved is a child or youth student experiencing homelessness and the violation does not require a mandatory recommendation for expulsion. While such a notice is not required if the offense requires a mandatory recommendation for expulsion, it is nonetheless recommended and the following section reflects this recommendation.

If the student facing expulsion is a foster student or Indian child, the Superintendent or designee shall also send notice of the hearing to the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, at least 10 calendar days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a student experiencing homelessness, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least

10 calendar days prior to the hearing. (Education Code 48918.1)

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

Conduct of Expulsion Hearing

CSBA NOTE: Education Code 48918 **mandates** that the Board adopt procedures that include the following items.

Instead of the Board conducting an expulsion hearing, it may appoint a hearing officer or an impartial administrative panel to conduct the hearing; [For more information regarding expulsion hearings conducted by a hearing officer of administrative panel](#), see "Alternative Expulsion Hearing: Hearing Officer or Administrative Panel," below. Even if the district conducts all expulsion hearings in this manner, the requirements of Education Code 48918 pertaining to the conduct of the hearing must be met.

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting.

_____ If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

CSBA NOTE: For the purpose of Board deliberations during the closed session described below, the presence of any person other than the Board members, including the Superintendent, necessitates allowing the presence of the parent/guardian, student, and student's counsel.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

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

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

CSBA NOTE: Education Code 48918 authorizes the Board to issue subpoenas for the personal appearance of percipient witnesses at an expulsion hearing. In *Woodbury v. Dempsey*, the court held that a district's authority to determine whether to issue subpoenas is discretionary, but a district could not have a blanket policy denying the issuance of

subpoenas in all cases.

In accordance with Code of Civil Procedure 1987, the subpoena ~~must~~ **is required to** be served at least 10 days before the time required for attendance unless the court prescribes a shorter time. Unless they are parties to the hearing or are district or government employees, witnesses who appear pursuant to a subpoena receive fees equal to those prescribed for witnesses in civil actions in a superior court, and all witnesses other than the parties to the hearing receive mileage; these fees and mileage must be paid by the party requesting the subpoena.

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion:

_____ After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

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

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in Item #64 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs:

_____ The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," and "Additional Grounds for Suspension and Expulsion: Grades 4-12," above. (Education Code 48918(h))

CSBA NOTE: Findings of fact made by the Board or a hearing panel ~~must~~ **may** not be based on hearsay alone. "Hearsay" is evidence of an oral or written statement made by a person who is not present at the hearing which is offered to establish a fact as being true. Some exceptions to the hearsay rule exist under the Evidence Code and Education Code;. **It is recommended that** the district ~~should~~ consult CSBA's District and County Office of Education Legal Services or district legal counsel, as appropriate.

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

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

CSBA NOTE: Education Code 48918.6 provides that testimony by a student witness at an expulsion hearing is privileged and thus protected from liability for defamation pursuant to Civil Code 47(b).

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
 - a. Any complaining witness shall be given five days' notice before being called to testify
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential
 - d. The person presiding over the hearing may remove a support person who is disrupting the hearing
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment
 - i. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony

ii. At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room

iii. The person conducting the hearing may:

- a. Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
- b. Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours
- c. ~~Permit~~ one of the support persons to accompany the complaining witness to the witness stand

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

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

CSBA NOTE: For districts that use a hearing officer or administrative panel, Education Code 48918 mandates that the Board adopt procedures that include the following section.

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

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

CSBA NOTE: Pursuant to Education Code 48918, if the hearing officer or administrative panel does not recommend expulsion, a student ~~must~~is required to be permitted to return to the classroom instructional program from which the expulsion referral was made, unless the student's parent/guardian requests a different placement. Additionally, Education Code 48918 ~~also~~ states that a student who is found to have committed any of the violations listed in "Authority to Expel" in the accompanying Board policy but for whom expulsion is not recommended may be referred to the student's prior school, or another district comprehensive or continuation school. However, the hearing officer or administrative panel, like the Board, ~~must~~is required to recommend expulsion or a suspended expulsion under Education Code 48915, if it finds that a student committed any such

violation that mandates expulsion. ~~District should~~ **It is recommended that districts** consult CSBA's District and County Office of Education Legal Services or district legal counsel to resolve this apparent discrepancy.

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

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

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

Final Action by the Board

CSBA NOTE: Education Code 48918 **mandates** that the Board adopt procedures that include the following paragraph.

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

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

CSBA NOTE: 20 USC 7961 requires the district, in the consolidated application for federal funding, to provide an assurance that it will comply with the state requirement to expel, for a period not less than one year, any student who brings a firearm to school or possesses a firearm at school.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in "Authority to Expel" in the accompanying

Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

CSBA NOTE: Pursuant to Education Code 48916, as amended by AB 1230 (Ch. 294, Statutes of 2025), the Board is required to recommend a plan for the student's rehabilitation, as specified below.

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

1. ~~Periodic review, as well as assessment at the time of review, for readmission~~ shall include, but not be limited to, periodic review and a preliminary assessment for readmission at least 45 days before the end of the expulsion term. The plan shall be tailored to the student's needs and address the behavior that led to the expulsion. The plan may be developed in consultation with district staff who have knowledge or special expertise regarding the student and include

2. ~~Recommendations~~ recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs. (Education Code 48916)

The Board shall assist the student in locating accessible opportunities that are necessary to complete the requirements of the student's plan for rehabilitation, including, but not limited to, opportunities for counseling and community service. (Education Code 48916)

The Board shall not require the student or the student's parents/guardians to pay for any costs or services the Board determines to be necessary for the student to complete the student's plan of rehabilitation. (Education Code 48916)

CSBA NOTE: The following paragraph is optional. Education Code 48916.5 authorizes, but does not mandate, the Board to make the following requirement of certain expelled students.

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

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student, or if the student is under 18 years of age, to the student's parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)

CSBA NOTE: Pursuant to Education Code 48916, as amended by AB 1230, a description of the readmission procedures will procedure is required to be made available to the student and parent/guardian the student's parents/guardians at the same time the student and the student's parents/guardians are notified of the expulsion order.

2. The fact that A description of readmission procedures (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

CSBA NOTE: Pursuant to Education Code 48917, the Board's criteria for suspending the enforcement of expulsions must is required to be applied uniformly to all students. Items #1-3 below are optional and should be revised to reflect district criteria.

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation

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

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status (Education Code 48917)

3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above, or violates any of the district's rules and regulations governing student conduct (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school

Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian

The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board (Education Code 48917)

Appeal

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

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

Notification to Law Enforcement Authorities

CSBA NOTE: Education Code 48902 requires the principal or designee to notify law enforcement authorities when a student possesses a firearm or explosive or sells or furnishes a firearm at school. However, when the student involved in such a case is a student with a disability, Education Code 49076 requires any law enforcement authority to which student information is disclosed to certify that those records will not be disclosed to another party without the prior written consent of the

student's parent/guardian or other person invested with the student's educational right; see AR 5144.2 - Suspension And Expulsion/Due Process (Students With Disabilities).

When submitting the consolidated application for federal funding, the district mustis required to provide assurance that it has adopted a policy requiring referral to the criminal justice system or juvenile delinquency system of any student who brings a firearm or weapon to a school. The following section fulfills this requirement.

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

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

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

Placement During Expulsion

CSBA NOTE: Education Code 48915 requires the Board to refer all expelled students to a program of study that is prepared to accommodate students with discipline problems and that is not located at the school the student currently attends or at any regular elementary, middle, junior, or senior high school. However, students expelled for the acts described in Education Code 48900(f) through (m) or Education Code 48900.2, 48900.3, or 48900.4 may be referred to a program of study that is at another elementary, middle, junior, or senior high school if the County Superintendent of Schools certifies that an alternative program is not available at a site away from such a school.

Education Code 48915.01 states that if the Board has established a community day school pursuant to Education Code 48661 on the same site as an elementary, middle, junior, or senior high school, expelled students may be referred to the community day school at that site. Although Education Code 48663 prohibits the use of independent study in community day schools, Education Code 48916.1 does not in any way restrict the district from offering independent study as a voluntary alternative placement option for expelled students.

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

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

3. Not housed at the school site attended by the student at the time of suspension

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

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

CSBA NOTE: Pursuant to Education Code 48916.1, as amended by AB 1230, the County Superintendent is required to provide the Board notification if the County Superintendent is unable to serve students expelled by the district, whereby the Board is required to ensure that another educational program is provided, as specified below.

The Board shall receive notification from the County Superintendent of Schools, if at any time during the expulsion term and for any reason the County Superintendent is unable to serve the students expelled by the district. Upon notification, the Board shall ensure that another educational program is provided to the student for the duration of the expulsion order which may include entering into an agreement with a County Superintendent in another county to provide education services for the district's expelled students. (Education Code 48916.1)

Upon the change of a student's eligibility for an educational program or at the request of the student's parent/guardian, the Board shall review with the student and the student's parent/guardian the educational options for expelled students as outlined in the plan to provide education services to expelled students pursuant to Education Code 48926. (Education Code 48916.1)

Readmission After Expulsion

CSBA NOTE: Education Code 48916 mandates that the Board adopt rules and regulations establishing a procedure for filing and processing requests for readmission and, a process for Board review of all expelled students for readmission, and as amended by AB 1230, a procedure for the transition process for readmitted students. Because the law does not specify a transition process for readmitted students, it is recommended districts consult CSBA District and County Office of Education Legal Services or district legal counsel. Items #1-27 below should be revised to reflect district practice.

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

1. The Superintendent or designee shall hold a conference with the student's parent/guardian, or other person holding the right to make educational decisions for the student, and the student

At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and the student's parent/guardian or other person holding the right to make educational decisions for the student shall be asked

to indicate in writing their willingness to comply with these regulations.

CSBA NOTE: Education Code 48916, as amended by AB 1230, requires as part of the process for a required review, that the Board indicate whether the student had access to the necessary resources to complete their rehabilitation plan, and that a rehabilitation plan that is not completed due to financial or transportation barriers or a lack of viable opportunities not be a basis to deny the student readmission.

As part of the review process, the Board shall, upon being informed by the Superintendent or designee, indicate whether the student had access to the necessary resources to complete the student's rehabilitation plan. A rehabilitation plan that is not completed due to financial or transportation barriers or a lack of viable opportunities to complete a term of the rehabilitation plan shall not be a basis to deny the readmission of a student. (Education Code 48916)

2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission

The Board shall consider this recommendation in closed session. If a written request for open session is received from the student's parent/guardian or other person holding the right to make educational decisions for the student, or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, by registered mail, of the Board's decision regarding readmission
4. The Board may deny readmission only if it finds that the student has either: (Education Code 48916)
 - a. Has not substantially satisfied the conditions of the rehabilitation plan or despite having access to the necessary resources and viable opportunities to complete their rehabilitation plan
 - b. That the student continues to exhibit documented behaviors that the student continues to pose a danger to campus safety was expelled for or is documented to have committed one or to other district students or employees (Education Code 48916) more new acts during the expulsion term that would make the student eligible for another expulsion
5. If Board denies the readmission of a student pursuant to Item #4, the expulsion term may be extended for one semester at a time, at which point the student shall be reassessed for readmission pursuant to Item #1
5. 6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school
6. 7. The Board shall provide written notice to the expelled student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, describing the reasons for denying readmittance into the regular program

This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district.

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

Maintenance of Records

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

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

CSBA NOTE: Education Code 48915.1 requires that, when an expelled student asks to enroll in another district, the receiving district **mustis required to** hold a hearing to determine whether the student poses a danger to its students or staff. The receiving district then may either deny or permit the enrollment. Upon request from another district, the expelling district must provide information about the expulsion within five days.

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

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 to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Civ. Code 47	Privileged communication
Civ. Code 48.8	Defamation liability
Code of Civil Procedure 1985-1997	Production of evidence; means of production
Ed. Code 17292.5	Program for expelled students; facilities
Ed. Code 1981-1983	Enrollment of students in community school
Ed. Code 212.5	Sexual harassment
Ed. Code 233	Hate violence
Ed. Code 32260-32262	Interagency School Safety Demonstration Act of 1985
<u>Ed. Code 35012</u>	<u>Board members; number, election, and terms</u>

Ed. Code 35145	Open board meetings
Ed. Code 35146	Closed sessions regarding suspensions
Ed. Code 35291	Rules for government and discipline of schools
Ed. Code 35291.5	Rules and procedures on school discipline
Ed. Code 48645.5	Former juvenile court school students; enrollment
Ed. Code 48660-48666	Community day schools
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49073-49079	Privacy of student records
Ed. Code 52052	Numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 64000-64001	Consolidated application
Ed. Code 8489-8489.1	Prohibition against expulsion of preschool student
Gov. Code 11455.20	Informal hearing procedures
Gov. Code 54950-54963	The Ralph M. Brown Act
H&S Code 11014.5	Drug paraphernalia
H&S Code 11053-11059	Controlled substances; standards and schedules
Lab. Code 230.7	Employee time off to appear in school on behalf of a child
Pen. Code 240	Assault defined
Pen. Code 241.2	Assault fines
Pen. Code 242	Battery defined
Pen. Code 243.2	Battery on school property
Pen. Code 243.4	Sexual battery
Pen. Code 245	Assault with deadly weapon
Pen. Code 245.6	Hazing
Pen. Code 261	Rape defined
Pen. Code 266c	Unlawful sexual intercourse
Pen. Code 286	Sodomy defined
Pen. Code 287	Oral Copulation

Pen. Code 288	Lewd or lascivious acts with child under age 14
Pen. Code 289	Penetration of genital or anal openings
Pen. Code 31	Principal of a crime; defined
Pen. Code 417.27	Laser pointers
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes; harassment
Pen. Code 422.7	Aggravating factors for punishment
Pen. Code 422.75	Enhanced penalties for hate crimes
Pen. Code 626.10	Dirks, daggers, knives, razors, or stun guns
Pen. Code 626.2	Entry upon campus after written notice of suspension or dismissal without permission
Pen. Code 626.9	Gun-Free School Zone Act of 1995
Pen. Code 868.5	Supporting person; attendance during testimony of witness
W&I Code 224.1	Indian child; definition
W&I Code 729.6	Counseling
Federal	Description
18 USC 921	Definitions; firearms and ammunition
20 USC 1415(K)	Students with disabilities; placement in alternative educational setting
20 USC 7961	Gun-Free Schools Act
<u>34 CFR 106.1-106.82</u>	<u>Nondiscrimination on the basis of sex in education programs or activities</u>
42 USC 11431-11435	Education of homeless children and youths
Management Resources	Description
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 348 (1997)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 85 (1997)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 91 (1997)
Attorney General Opinion	84 Ops.Cal.Atty.Gen. 146 (2001)
Court Decision	Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321
Court Decision	Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

Court Decision	Garcia v. Los Angeles Board of Education (1981) 123 Cal. App. 3d 807
Court Decision	John A. v. San Bernardino School District (1982) 33 Cal. 3d 301
Court Decision	T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
Court Decision	Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub California Department of Education Publication	Resource on Confronting Racial Discrimination in Student Discipline, May 2023 Update Regarding School Discipline Policies, May 2025 (https://www.cde.ca.gov/nr/fa/yr25cosoltr0501.asp)
U.S. DOE Publication	School Climate and Student Discipline Resources
U.S. DOE Publication	Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates, March 2023
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Office of Safe and Healthy Students
Website	California Attorney General's Office
Website	California Department of Education
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
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

3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515	Campus Security
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
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
3516.2	Bomb Threats
4158	Employee Security
4158	Employee Security
4258	Employee Security
4258	Employee Security
4358	Employee Security
4358	Employee Security
5000	Concepts And Roles
5112.1	Exemptions From Attendance
5112.1	Exemptions From Attendance
5112.5	Open/Closed Campus
5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5116.2	Involuntary Student Transfers
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5119	Students Expelled From Other Districts

5125	Student Records
5125	Student Records
5125.2	Withholding Grades, Diploma Or Transcripts
5131	Conduct
5131.1	Bus Conduct
5131.1	Bus Conduct
5131.2	Bullying
5131.2	Bullying
5131.4	Student Disturbances
5131.4	Student Disturbances
5131.5	Vandalism And Graffiti
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs
5131.62	Tobacco
5131.62	Tobacco
5131.63	Steroids
5131.63	Steroids
5131.7	Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5142	Safety
5142	Safety
5144	Discipline
5144	Discipline
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5144.4	Required Parental Attendance
5144.4	Required Parental Attendance
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.2	Freedom Of Speech/Expression

5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.71	Title IX Sexual Harassment Complaint Procedures
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures
5145.9	Hate-Motivated Behavior
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6145.5	Student Organizations And Equal Access
6145.5	Student Organizations And Equal Access
6145.8	Assemblies And Special Events
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6154	Homework/Makeup Work
6158	Independent Study
6158	Independent Study
6161.2	Damaged Or Lost Instructional Materials
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6173	Education For Homeless Children
6173	Education For Homeless Children

6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.4	Education For American Indian Students
6184	Continuation Education
6184	Continuation Education
6185	Community Day School
6185	Community Day School
9000	Role Of The Board
<u>9150</u>	<u>Student Board Members</u>
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9322	Agenda/Meeting Materials

Policy 5145.2: Freedom Of Speech/Expression

Status: ADOPTED

Original Adopted Date: 03/01/1993 | Last Revised Date: ~~11/02/01/2007~~2026 | Last Reviewed Date: ~~11/02/01/2007~~2026

CSBA NOTE: The First Amendment of the U.S. Constitution and Article 1, Section 2 of the California Constitution guarantee freedom of speech and of the press. Court cases and California law have addressed the application of these principles in a school setting and have established parameters for student expression. The following policy addresses rights and limitations related to student expression in a variety of forms, including off-campus as well as on-campus student expression.

CSBA NOTE: Education Code 48907 mandates that a district establish a "written publications code" related to students' rights to freedom of speech and of the press. This code is required to include reasonable provisions for the time, place, and manner in which free expression may take place within the district's jurisdiction. For further language implementing this mandate, see the accompanying administrative regulation.

The First Amendment of the U.S. Constitution and Article 1, Section 2 of the California Constitution guarantee freedom of speech and of the press. Additionally, Education Code 48907 and 48950 provide even greater protection for student expression and official student publications. In addition, districts are required to maintain a safe environment for students; protect students from certain types of expression, such as speech that is discriminatory, harassing, intimidating, and bullying; and prohibit expression that is obscene, libelous, or slanderous. However, the legal landscape in this area is complex and uncertain.

One of the biggest areas of uncertainty involves student expression that may be considered as offensive or harmful, or that may lead to substantial disruption. In *Dariano v. Morgan Hill Unified School District*, the Ninth Circuit Court of Appeals upheld the district's decision to direct students to remove clothing bearing the American flag on Cinco de Mayo out of concern that it could lead to a substantial disruption to district activities due to the history of racial tension and threats of violence at the school. However, in *Chandler v. McMinnville School District*, the Ninth Circuit held that the district could not prohibit students from wearing buttons or stickers containing slogans like "I'm not listening scab" and "Do scabs bleed?" during a lawful teachers' strike as it was protected speech.

Additionally, the age of students exposed to the speech is relevant to a court's analysis. In both *Hazelwood School District v. Kuhlmeier* and *Bethel School District v. Fraser*, the U.S. Supreme Court found that the content of the speech at issue was inappropriate based on the age range of students in the school and could be prohibited based on "legitimate pedagogical concerns."

Given such complexity and uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel when adopting and implementing rules related to student freedom of speech/expression.

The Governing Board believes that free inquiry and exchange of ideas are essential parts of a democratic education. The Board respects students' rights to express ideas and opinions, take stands on issues, and support causes, even when such speech is controversial or unpopular. Additionally, the Board is committed to providing a welcoming, safe, and supportive school environment that protects students from discrimination, harassment, intimidation, and bullying, or other types of expression prohibited by law.

On-Campus Expression

CSBA NOTE: Education Code 48907 mandates districts 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 district's jurisdiction. See the accompanying administrative regulation for further language implementing this mandate. It is recommended that districts consult legal counsel when adopting and implementing policy related to freedom of speech/expression.

CSBA NOTE: Pursuant to Education Code 48907, students generally have 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 school publications. While Education Code 48907 does not explicitly list official district or school websites or social media accounts identified and made available for such purposes, it is likely that a current interpretation of Education Code 48907 would include them. The following paragraph incorporates this interpretation but should be modified to reflect district practice.

Additionally, pursuant to the federal Equal Access Act (20 USC 4071-4074), if a district that serves secondary students creates a limited open forum that allows student groups to use school media to publicize meetings, it is required to provide equal access to all student groups. For language implementing this requirement, see BP/AR 6145.5 - Student Organizations and Equal Access.

Students shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the use of official district or school websites or social media accounts identified and made available for such purposes; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official school publications. (Education Code 48907)

~~Student~~Students' freedom of expression on district or school Internet web sites and online media shall generally be afforded the same protectionsrestricted only as in print media.established by this Board policy, the accompanying administration regulation, Education Code 234.1, 48907, and 48950, and other applicable state and federal laws. Such restrictions include, but are not limited to, prohibitions against students making any expressions or distributing or posting any materials that:

CSBA NOTE: Numerous court decisions have found that the First Amendment rights of public school students are not necessarily the same as the rights of adults in other settings and must be applied in light of the special circumstances of the school environment. In *Hazelwood School District v. Kuhlmeier*, the U.S. Supreme Court ruled that when a school has not, by policy or practice, opened up a school-sponsored activity for unrestricted use by students, the school may limit student expression as long as its decision is reasonably related to "legitimate pedagogical

concerns." In California, Education Code 48907 grants students broader rights of freedom of press and provides that student content can be restrained only when it is obscene, libelous or slanderous, or incites students to commit unlawful acts, violate school rules, or substantially disrupt school operations.

When determining what type of content might be restrained, the courts have found age to be a critical factor (*Hazelwood* and *Bethel v. Fraser*). Although the courts have not specifically addressed the speech rights of elementary students, it appears that schools have greater authority to limit speech that could harm elementary students' emotional, moral, social, and intellectual development. (*Muller v. Jefferson Lighthouse School*)

Students' freedom of expression shall be limited only as allowed by Education Code 48907, 48950, and other applicable state and federal laws.

Students are prohibited from making any expressions or distributing or posting any materials that are obscene, libelous, or slanderous. Students also are prohibited from making any expressions that so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of school rules, or substantial disruption of the school's orderly operation. (Education Code 48907)

CSBA NOTE: The U.S. Supreme Court has held that "fighting words," which by their very utterance can cause an immediate breach of the peace, are not constitutionally protected.

1. Are obscene, libelous, or slanderous
2. Are discriminatory, harassing, intimidating, or bullying
3. Are likely to immediately incite action on district property or during district-sponsored programs or activities that is unlawful or that violates Board policies, administrative regulations, or other district or school rules
4. Substantially disrupt the orderly operation of the district

The Additionally, the use of "fighting words" or epithets is prohibited in those instances where the speech is they are abusive and insulting, rather than a communication of ideas, and the speech is used in an abusive manner in a situation that presents merely offensive or provocative, and they are likely to create an actual danger that it will cause a breach of the peace.

CSBA NOTE: Education Code 48907 and 48950 specify that an employee may not be dismissed, suspended, disciplined, reassigned, transferred or otherwise retaliated solely for action to protect a student free speech and press rights. See AR 4118 – Dismissal/Suspension/Disciplinary Action.

District staff shall not prohibit or prevent the distribution of, or otherwise School officials shall not engage in prior restraint of cancel, material prepared for official school publications except insofar as the content of the material violates the law. this Board policy and the accompanying administrative regulation. (Education Code 48907)

CSBA NOTE: The following paragraph is for use by districts that maintain one or more high schools. Education Code 48950 provides that no district maintaining high schools shall make or enforce any rule subjecting a high school student to disciplinary sanctions solely on the basis of speech or other

communication that would be constitutionally protected if engaged in outside of campus. Students enrolled in a school that makes or enforces such a rule may take civil action for injunctive and declaratory relief.

The Superintendent or designee shall not discipline any high school student solely on the basis of speech or other communication that would be constitutionally protected when engaged in outside of school, but may impose discipline for harassment, threats, or intimidation unless constitutionally protected. (Education Code 48950)

Off-Campus Expression

CSBA NOTE: Courts have generally found that schools may impose discipline for emphasized that, although a district's interest in regulating off-campus conduct that student expression is less than for on-campus student expression, it may still regulate off-campus student expression if it poses a threat to the safety of other students, staff, or school property or disrupts the educational program, provided that the district is able to document the impact or disruption that the conduct had, or could be expected to have, on campus. In addition, With respect to the type and level of discipline, courts have analyzed the reasonableness of the district's policy and whether the disciplinary action taken by the district was in proportion to the student's misbehavior. See also For more information regarding off-campus conduct, see BP 5131 - Conduct.

In Mahanoy Area School District v. B.L., the U.S. Supreme Court held that a student's profane social media post critical of the student's school that was posted off campus and outside of school hours was protected speech because it was not likely to cause "substantial disruption" to school activities. However, in Lavine v. Blaine School District, the Ninth Circuit U.S. Court of Appeals applied Tinker v. Des Moines School District to conclude that a school concluded that a district in Washington was justified in expelling a student whose off-campus poetry, when considered in the totality of other relevant factors, indicated he might pose a danger to himself or others. Similar standards have been applied with regard to students' off-campus Internet web sites. The federal courts in Beussink v. Woodland R-IV School District and Emmett v. Kirkland School District No. 415 confirmed that student off-campus Internet speech merits First Amendment protection and that disliking the content of a student's speech critical of the schools and staff is not an acceptable justification for limiting student speech.

Since this area of law is unclear and constantly evolving, it is strongly recommended that districts consult with legal counsel when developing policy and prior to applying discipline for off-campus speech the student might pose a danger to self or others. Similarly, in Chen v. Albany Unified School District, the Ninth Circuit ruled in favor of the school district when it imposed discipline on a student for off-campus speech that led to harassment and severe bullying of other students on campus.

A Off-campus student shall be subject to discipline for off-campus expression, including such as electronic expression on off-campus Internet web sites, via a personal device or online expression via a personal social media account, may subject a student to discipline when such expression poses a threat to the safety of other district students, staff, or school property, or does or is likely to substantially disrupt the district's educational program. The As necessary, the Superintendent or designee shall document the impact the expression had or could be actual or expected to have on impact of the school program: expression.

Student expression that violates this Board policy or the accompanying administrative regulation may be subject to discipline in accordance with Board Policy/Administrative Regulation 5144 – Discipline, Board Policy/Administrative Regulation 5144.1 – Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities).

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 to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

CA Constitution Article 1, Section 2

[Ed. Code 234-234.5](#)

[Ed. Code 48205](#)

Ed. Code 48907

Ed. Code 48950

Ed. Code 51520

Federal

20 USC 4071-4074

U.S. Constitution, First Amendment

Management Resources

Court Decision

Court Decision

[Court Decision](#)

[Court Decision](#)

Court Decision

[Court Decision](#)

Court Decision

Court Decision

Court Decision

Description

Freedom of speech and expression

[Safe Place to Learn Act](#)

[Excused absences](#)

Exercise of free expression; time, place, and manner rules and regulations

Speech and other communication

Prohibited solicitations on school premises

Description

Equal Access Act

Free exercise, free speech, and establishment clauses

Description

Beussink v. Woodland R-IV School District (1998) 30 F.Supp. 2d 1175

Bright v. Los Angeles Unified School District (1976) 18 Cal. 3d 350

[Chandler v. McMinnville School District \(1992\) 978 F.2d 524](#)

[Dariano v. Morgan Hill Unified School District \(2014\) 767 F.3d 764](#)

Emmett v. Kirkland School District No. 415 (2000) 92 F.Supp. 2d 1088

[Harper v. Poway Unified School District \(2006\) 445 F.3d 1166](#)

J.S. v. Bethlehem Area School District (2000) 757 A.2d 412 (Pa. Commw. 2000)

Lavine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981

Leeb v. DeLong (1988) 198 Cal.App.3d 47

Court Decision	Lovell v. Poway Unified School District (1996) 90 F.3d 367
Court Decision	Mahanoy Area School District v. B.L. (2021) 594 U.S. 180
Court Decision	Muller v. Jefferson Lighthouse School (1996) 98 F.3d 1530
Court Decision	Smith v. Novato Unified School District (2007) 150 Cal.App.4th 1439
Court Decision	Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562
Court Decision	Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503
Court Decision	Bethel School District No. 403 v. Fraser (1986) 478 U.S. 675
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
1100	Communication With The Public
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1313	Civility
1325	Advertising And Promotion
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
5113	Absences and Excuses
5113	Absences and Excuses
5127	Graduation Ceremonies And Activities
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5131.4	Student Disturbances
5131.4	Student Disturbances
5131.8	Mobile Communication Devices
5132	Dress And Grooming
5132	Dress And Grooming

5136	Gangs
5136	Gangs
5137	Positive School Climate
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.8	Refusal To Harm Or Destroy Animals
5145.9	Hate-Motivated Behavior
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6142.3	Civic Education
6144	Controversial Issues
6145.5	Student Organizations And Equal Access
6145.5	Student Organizations And Equal Access
6145.8	Assemblies And Special Events

Regulation 5145.2: Freedom Of Speech/Expression

Status: ADOPTED

Original Adopted Date: 11/01/2001 | Last Revised Date: ~~11/02/01/2007~~2026 | Last Reviewed
Date: ~~11/02/01/2007~~2026

CSBA NOTE: The following administrative regulation should be revised to reflect district practice. It is recommended that districts consult legal counsel when establishing restrictions, including "time, place, and manner" provisions, related to students' rights to free speech/expression.

School-Sponsored Publications

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

Education Code 48907 provides greater protection to students' free speech rights than provided by U.S. Supreme Court and other federal court decisions and authorizes school officials to limit student speech only in the specific circumstances listed below, including when the speech is likely to cause a disruption. In *Smith v. Novato Unified School District*, the court held that a district could not prohibit speech just because the speech "presents controversial ideas and opponents of the speech are likely to cause disruption." In order for the speech to be prohibited, the speech must incite a disruption. Thus, the court looked for evidence that the student intended to cause substantial disruption, such as direct provocation or racial epithets, rather than evidence that the anticipated or perceived reaction of the audience would cause a disruption.

Students shall have the right to exercise freedom of speech and of the press in official school publications, except for expression that is obscene, libelous, slanderous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school. (Education Code 48907)

Official school publications includes material produced by students in journalism, newspaper, yearbook, or writing classes and distributed to the student body either for a fee or free. (Education Code 48907)

Each principal shall develop a school publications code outlining the responsibility of student journalists, editors, and publication advisors.

All student submissions shall be held to professional standards of English and journalism. (Education Code 48907)

CSBA NOTE: When analyzing whether student speech should be permitted, the principal should determine if specific evidence exists that shows how the speech violates Education Code 48907 (obscene, libelous, incites a disturbance). This specific evidence should be provided to the student and documented in case the student decides to appeal the principal's decision to the Superintendent or designee. Education Code 48907 provides that school officials have the burden of showing justification, without undue delay, prior to any limitation of student expression.

If the principal considers material submitted for publication to violate Education Code 48907, he/she shall notify the student, without undue delay, and give specific reasons why the submitted material may not be published. Absent extraordinary circumstances, such notice should be given in sufficient time to allow the student time to either modify the material or to seek review of the principal's determination from the Superintendent or designee. Prior to any restriction of student speech, school officials shall consider any feasible alternative options to restricting the speech.

CSBA NOTE: The following optional paragraph authorizes the principal to include a disclaimer disassociating the district from the publication. Such disclaimers should be used with caution and only after careful analysis.

To the extent that the principal or designee believes that the school and district should be disassociated from a particular idea or opinion, the principal may require student articles to include disclaimers.

Distribution of Printed Materials and Petitions by Students

CSBA NOTE: Pursuant to the federal Equal Access Act (20 USC 4071-4074), if a secondary district with a limited open forum allows student groups to use school media to publicize meetings, it must provide equal access to all student groups. See BP/AR 6145.5 – Student Organizations and Equal Access for language implementing this requirement.

CSBA NOTE: Education Code 48907 **mandates** that a district establish a "written publications code" related to students' rights to freedom of speech and of the press. This code is required to include reasonable provisions for the time, place, and manner in which free expression may take place within the district's jurisdiction. For further language implementing this mandate, see "Time, Place, and Manner Restrictions for Student Expression" below.

The First Amendment of the U.S. Constitution and Article 1, Section 2 of the California Constitution guarantee freedom of speech and of the press. Additionally, Education Code 48907 and 48950 provide even greater protection for student expression and official student publications. In addition, districts are required to maintain a safe environment for students; protect students from certain types of expression, such as speech that is discriminatory, harassing, intimidating, and bullying; and prohibit expression that is obscene, libelous, or slanderous. However, the legal landscape in this area is complex and uncertain.

One of the biggest areas of uncertainty involves student expression that may be considered as offensive or harmful, or that may lead to substantial disruption. In *Dariano v. Morgan Hill Unified School District*, the Ninth Circuit Court of Appeals upheld the district's decision to direct students to remove clothing bearing the American flag on Cinco de Mayo out of concern that it could lead to a substantial disruption to district activities due to the history of racial tension and threats of violence at the school. However, in *Chandler v. McMinnville School District*, the Ninth Circuit held that the district could not prohibit students from wearing buttons or stickers containing slogans like "I'm not listening scab" and "Do scabs bleed?" during a lawful teachers' strike as it was protected speech.

Additionally, the age of students exposed to the speech is relevant to a court's analysis. In both *Hazelwood School District v. Kuhlmeier* and *Bethel School District v. Fraser*, the U.S. Supreme Court found that the content of the speech at issue was inappropriate based on the age range of students in the school and could be prohibited based on "legitimate pedagogical concerns."

Given such complexity and uncertainty, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel when adopting and implementing rules related to student freedom of speech/expression.

Time, Place, and Manner Restrictions for Student Expression

The Each principal or designee may ~~provide~~annually identify physical or electronic locations, such as school courtyards, bulletin boards, or social media accounts, on which students and student organizations may hold a public rally, express and debate issues, or post materials information of general interest. ~~Students also~~Additionally, students may ~~post or~~ distribute handbills, leaflets, and other printed or electronic material, whether produced within or outside of the school. ~~Students~~In addition, students may collect signatures on petitions concerning school or nonschool issues.

CSBA NOTE: Districts might consider requiring students to include a disclaimer on all materials to be distributed. For example, a disclaimer might state that "this event is not school-sponsored or approved" or that "opinions are not necessarily those of the school district or school personnel." Districts wishing to include disclaimer language should consult legal counsel as appropriate.

Education Code 48907 allows districts to regulate the "time, place, and manner" of student speech. The following paragraph provides "time, place, and manner" restrictions and should be modified to reflect district practice.

All such expression in a given year shall be limited to the locations identified by the principal or designee for that year.

Printed materials Materials or petitions may be distributed only:

1. Before or after school or during lunch time
2. ~~In~~For printed materials or petitions, in locations that do not obstruct the normal flow of traffic within the school or at entrances

No student shall use coercion to induce any other student or person to accept ~~printed matter~~materials or to sign a petition. No funds shall be collected for any material distributed.

Clothing, Buttons, and Badges

CSBA NOTE: A school district's ability to regulate "hate speech," such as clothing with derogatory or demeaning messages, is unclear. While the 9th Circuit court held in *Harper v. Poway Unified School District* that a school could prohibit a student from wearing a T-shirt with an anti-homosexual message, the U.S. Supreme Court vacated that decision and thus its analysis cannot be relied upon and is not included in the section below. Because the status of the law is unclear, districts should consult with legal counsel as appropriate.

Buttons, badges, armbands, and clothing bearing slogans or sayings may be worn unless their message falls into the categories prohibited by law and Board policy. No employee shall interfere

with this practice on the grounds that the message may be controversial or unpopular with students or faculty.

CSBA NOTE: Districts may consider requiring students to include a disclaimer on all materials to be distributed. For example, a disclaimer might state that "this event is not school-sponsored or approved" or that "opinions are not necessarily those of the school district or school personnel." The following optional paragraph should be modified to reflect district practice.

At the principal or designee's discretion, any materials or petitions may be required to include a disclaimer indicating that views, ideas, and opinions expressed in the materials or petitions are not sponsored by and do not necessarily reflect those of the school or district.

CSBA NOTE: Pursuant to Education Code 48907, students generally have the right to exercise freedom of speech including, but not limited to, the wearing of buttons, badges, and other insignia. However, this right is constrained as described in the accompanying Board policy. Such constraints include prohibiting student expression that is obscene, libelous, or slanderous; is discriminatory, harassing, intimidating, or bullying; is likely to immediately incite action on district property or during district-sponsored programs or activities that is unlawful, that violates Board policies, administrative regulations, or other district or school rules; or is likely to cause or actually causes substantial disruption to the orderly operation of the district.

It is recommended that districts with questions regarding the permissibility of buttons, badges, armbands, and clothing bearing slogans or sayings consult CSBA's District and County Office of Education Legal Services or district legal counsel.

Permissible buttons, badges, armbands, and clothing bearing slogans or sayings may be worn at all times. No employee shall interfere with such expression solely on the grounds that the message may be controversial or unpopular with students or faculty. (Education Code 234.1, 48907)

Official School Publications

CSBA NOTE: While the definition of "official school publications" in Education Code 48907 does not include materials produced by student clubs or organizations, student newspapers or other student publications, the definition of "official school publications" below, which should be modified to reflect district practice, has been expanded to include such materials to more accurately reflect current practice.

Official school publications are materials produced by students in journalism or yearbook courses or programs, student clubs or organizations, student newspapers or other student publications, or writing classes, and distributed to the public or to the student body either for a fee or free. (Education Code 48907)

Each principal may develop a school publications code outlining the responsibility of the students who produce or support the production of content for official student publications and the staff who serve as advisors of official student publications.

CSBA NOTE: Pursuant to Education Code 48907, official student publications shall be held to "professional standards of English and journalism." As not all official student publications may be

written in English, the following paragraph, which should be modified to reflect district practice, provides that official student publications are required to be held to “professional standards of language and journalism.”

All official student publications shall be held to professional standards of language and journalism. (Education Code 48907)

CSBA NOTE: Pursuant to Education Code 48907, staff are required to show justification for any limitation of material in an official student publication and are required to do so without undue delay. Additionally, many districts have incorporated an informal appeals process by which an official student publication may appeal such a limit imposed by a staff advisor or other school staff such as a principal. The following paragraph follows this approach and should be revised to reflect district practice.

If a staff advisor to an official student publication or other school staff with similar responsibility determines that material intended for inclusion in an official student publication violates the accompanying Board policy or this regulation, the staff advisor or other school staff shall first consider any feasible alternative options to limiting the material. If no other option is feasible, the staff advisor or other school staff shall notify the official student publication, via the student editor-in-chief or similar position, and the student authors of the material without undue delay and shall provide specific reasons for why the submitted material may not be published. Absent extraordinary circumstances, such notice shall be given in sufficient time to allow the official student publication or the student authors to either modify the material or request review by the Superintendent or designee.

At the principal's discretion, all official student publications may be required to include a disclaimer indicating that views, ideas, and opinions expressed in official student publications do not necessarily reflect those of the school or district.

Student Participation in Civic or Political Events

CSBA NOTE: Pursuant to Education Code 48205, a middle or high school student is permitted one excused absence per school year due to participation in a civic or political event. Additionally, Education Code 48205 authorizes a school administrator to grant additional excused absences. Such discretion should be used with caution to avoid allegations of viewpoint discrimination. The following paragraph does not provide discretion and should be modified to reflect district practice.

Upon providing advanced notice and in accordance with Board Policy/Administrative Regulation 5113 – Absences and Excuses, a student in middle or high school shall be permitted one excused absence per school year in order to participate in a civic or political event such as voting, poll working, strikes, public commenting, or attending candidate speeches, political or civic forums, or town halls. (Education Code 48205)

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 to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

CA Constitution Article 1, Section 2

[Ed. Code 234-234.5](#)

[Ed. Code 48205](#)

Ed. Code 48907

Ed. Code 48950

Ed. Code 51520

Federal

20 USC 4071-4074

U.S. Constitution, First Amendment

Management Resources

Court Decision

Court Decision

[Court Decision](#)

[Court Decision](#)

Court Decision

[Court Decision](#)

Court Decision

Court Decision

Court Decision

Court Decision

[Court Decision](#)

Court Decision

Court Decision

Court Decision

Description

Freedom of speech and expression

[Safe Place to Learn Act](#)

[Excused absences](#)

Exercise of free expression; time, place, and manner rules and regulations

Speech and other communication

Prohibited solicitations on school premises

Description

Equal Access Act

Free exercise, free speech, and establishment clauses

Description

Beussink v. Woodland R-IV School District (1998) 30 F.Supp. 2d 1175

Bright v. Los Angeles Unified School District (1976) 18 Cal. 3d 350

[Chandler v. McMinnville School District \(1992\) 978 F.2d 524](#)

[Dariano v. Morgan Hill Unified School District \(2014\) 767 F.3d 764](#)

Emmett v. Kirkland School District No. 415 (2000) 92 F.Supp. 2d 1088

[Harper v. Poway Unified School District \(2006\) 445 F.3d 1166](#)

J.S. v. Bethlehem Area School District (2000) 757 A.2d 412 (Pa. Commw. 2000)

Lavine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981

Leeb v. DeLong (1988) 198 Cal.App.3d 47

Lovell v. Poway Unified School District (1996) 90 F.3d 367

[Mahanoy Area School District v. B.L. \(2021\) 594 U.S. 180](#)

Muller v. Jefferson Lighthouse School (1996) 98 F.3d 1530

Smith v. Novato Unified School District (2007) 150 Cal.App.4th 1439

Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562

Court Decision	Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503
Court Decision	Bethel School District No. 403 v. Fraser (1986) 478 U.S. 675
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
1100	Communication With The Public
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1313	Civility
1325	Advertising And Promotion
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
<u>5113</u>	<u>Absences and Excuses</u>
<u>5113</u>	<u>Absences and Excuses</u>
5127	Graduation Ceremonies And Activities
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5131.4	Student Disturbances
5131.4	Student Disturbances
5131.8	Mobile Communication Devices
5132	Dress And Grooming
5132	Dress And Grooming
5136	Gangs
5136	Gangs
5137	Positive School Climate
5144	Discipline
5144	Discipline

5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.8	Refusal To Harm Or Destroy Animals
5145.9	Hate-Motivated Behavior
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6142.3	Civic Education
6144	Controversial Issues
6145.5	Student Organizations And Equal Access
6145.5	Student Organizations And Equal Access
6145.8	Assemblies And Special Events

Policy 6142.7: Physical Education And Activity

Status: ADOPTED

Original Adopted Date: 11/01/2007 | **Last Revised Date:** ~~07/02/01/2020~~2026 | **Last Reviewed Date:** ~~07/02/01/2020~~2026

CSBA NOTE: The following optional policy may be revised to reflect district practice and the grade levels offered by the district. See the accompanying administrative regulation for definitions of "physical education" and "physical activity" based on the California Department of Education's (CDE) 2009 Physical Education Framework for California Public Schools.

42 USC 1758b mandates each district participating in federal meals programs to adopt a districtwide student wellness policy, including goals for physical activity. See BP 5030 - Student Wellness for language fulfilling this mandate. The following policy also incorporates goals for physical activity.

Education Code 33352 requires CDE, as part of the Federal Program Monitoring (FPM) process, to monitor districts' compliance with specified state physical education requirements which are reflected in the following policy and the accompanying administrative regulation. During the FPM process, CDE will request a link to this policy as evidence of specified components of compliance.

The Governing Board recognizes the positive benefits of physical activity on student health, well-being, and academic achievement. The district shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The district's physical education and activity programs shall support the district's coordinated student wellness program and encourage students' lifelong health and fitness.

CSBA NOTE: During the FPM monitoring process, CDE will check the district's compliance with laws requiring that physical education classes be conducted in a coeducational, inclusive manner.

Physical education classes shall be conducted in ~~the~~a coeducational, inclusive manner ~~prescribed by~~in accordance with law. The district shall provide instruction in physical education that provides equal access and equal opportunities for participation for all students in grades 1-12 regardless of gender, gender expression, sexual orientation, and mental or physical disability, or any other protected status in accordance with Board Policy/Administrative Regulation 5145.3 - Nondiscrimination/Harassment. (Education Code 220, 221.5, 33352; 5 CCR 4900, 4930, 4931, 4940, 4960; 34 CFR 106.33, 106.34, 300.108)

CSBA NOTE: Education Code 51210 and 51220 require the district's course of study for grades 1-12 to include physical education, with an emphasis on physical activities conducive to health and vigor of body and mind; see AR 6143 - Courses of Study. The state curriculum framework describes components of a comprehensive physical education program based on the voluntary Physical Education Model Content Standards adopted by the State Board of Education (SBE).

The district's physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework.

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. The U.S. Department of Health and Human Services' (HHS) [1](#), [2](#) "Physical Activity Guidelines for Americans." recommends that children and adolescents participate in at least 60 minutes of age-appropriate moderate to vigorous physical activity per day, which can be accrued in smaller increments throughout the day. It is recommended that the majority of the 60 minutes or more of daily physical activity be aerobic exercise, which includes vigorous physical activity at least three days a week, and that muscle and bone strengthening exercise be included at least three days a week. To help students reach these goals, the state curriculum framework recommends that students be engaged in moderate to vigorous physical activity for at least 50 percent of physical education class time. See the accompanying administrative regulation for definitions of "moderate physical activity" and "vigorous physical activity." Also see CSBA's Fact Sheet [en](#), [1](#), [2](#) "Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes."

The district's physical education program shall engage students in age-appropriate moderate to vigorous physical activity, as defined in the accompanying administrative regulation, including aerobic, muscle-strengthening, and bone-strengthening activities. The Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.

CSBA NOTE: The following two optional paragraphs are for use by districts that maintain high schools.

According to the state curriculum framework, it is the obligation of the Governing Board to determine whether to grant physical education credit for a particular course, including, but not limited to, junior [Reserves Officers' Training Corps \(ROTC\)](#), marching band, cheerleading, or drill team. In making this determination, the Board ~~must~~ is required to determine how the particular course supports an overall course of study for grades 9-12 that includes the eight content areas specified in Education Code 33352 and 5 CCR 10060 for physical education programs. While it is not necessary that each individual course include all eight content areas, the course offerings ~~must~~ are required to be structured so that all students receive opportunities for instruction in each of the eight areas across grades 9-12. CDE's Physical Education FAQs add that any course for which physical education credit is granted must also meet requirements in Education Code 33352 pertaining to minimum instructional minutes, various reporting requirements, and the assignment of an appropriately credentialed teacher.

For grades 9-12, the overall course of study shall include the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives. (Education Code 33352; 5 CCR 10060)

The Board shall approve the courses in grades 9-12 for which physical education credit may be granted.

CSBA NOTE: The following paragraph is optional. See the accompanying administrative regulation ~~for~~ includes sample strategies for physical activity opportunities outside the physical education program. Also For more information regarding increased physical education opportunities throughout the school day, see CSBA's Fact Sheet [en](#), [1](#), [2](#) "Maximizing Opportunities for Physical Activity During the School Day."

The Superintendent or designee shall develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day.

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

CSBA NOTE: Pursuant to Education Code 51240.5, districts are required to grant a student in kindergarten-grade 12 an accommodation in connection with any physical activity components of a physical education course during a period of religious fasting, as specified below.

Pursuant to Education Code 51240.5, for purposes of calculating compliance with the instructional time requirements of Education Code 51210, 51222, and 51223, a student is required to be credited with instructional time for any time the student was granted such an accommodation upon completion of alternative assignments or activities by the student.

Upon written notification from a student's parent/guardian, or from the student if age 18 years of age or older, stating that the student is participating in religious fasting, the principal or designee shall grant a student an accommodation in connection with any physical activity component of a physical education course during the period of religious fasting. The student shall be provided alternative assignments or activities for the period the student is granted an accommodation. (Education Code 51240.5)

CSBA NOTE: Education Code 33355 requires districts to, by July 1, 2026, develop, adopt, implement, and annually review weather protocols for extreme weather conditions, as specified, incorporating the standardized guidelines developed by CDE specifying temperature thresholds or index ratings that trigger modifications to student physical activities during extreme weather conditions. See the accompanying administrative regulation for the definition of "extreme weather conditions."

The Superintendent or designee shall develop, adopt, and implement weather protocols that incorporate the standardized guidelines compiled by the California Department of Education and that include specific measures to be taken during extreme weather conditions. The adopted weather protocols shall be annually reviewed, evaluated, and if necessary, updated in accordance with law. (Education Code 33355)

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program in accordance with the district's extreme weather protocols and/or shall seek alternative indoor space to enable students to participate in active physical education.

CSBA NOTE: Pursuant to Education Code 51222, the Board of a district serving students in grades 6-12 is authorized to adopt a policy providing for the alternate term schedule for physical education courses if specified conditions are met. Districts that do not wish to offer an alternate term schedule for physical education courses should delete the following paragraph and related material in the accompanying administrative regulation.

The Superintendent or designee may offer an alternate term schedule for grades 6-12 physical education courses in accordance with Education Code 51222 as specified in the accompanying administrative regulation.

Staffing

CSBA NOTE: A departmentalized class in physical education may be taught by a teacher with a single subject credential that authorizes instruction in physical education. Pursuant to Education Code 44256, the holder of a multiple subject credential may teach a departmentalized class in grades K-9 if the credential holder has completed 20 semester hours of coursework or 10 semester hours of upper division or graduate coursework in the subject to be taught. ~~In addition~~ **Additionally**, Education Code 44256 allows the Board by resolution to authorize a multiple subject credentialed teacher to teach a departmentalized class below grade 9 if the credential holder has completed at least 12 semester units or six upper division or graduate units of coursework in the subject to be taught. Education Code 44258.3 authorizes the Board to assign any credentialed teacher to a departmentalized class in grades K-12 if the teacher has adequate knowledge of the subject to be taught based on criteria specified in Education Code 44258.3 and district-adopted policies and procedures. Pursuant to 5 CCR 80046.1, a credentialed teacher may seek an added authorization to teach adapted physical education to students who are precluded from participating in a general education physical education program or a specially designed physical education program.

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

The district shall provide physical education teachers with continuing professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.

Physical Fitness Testing

CSBA NOTE: The following section may be revised to reflect grade levels offered by the district. Education Code 60800 requires districts to administer a physical fitness test to students in grades 5, 7, and 9. ~~The~~ SBE has designated the FITNESSGRAM as the required physical fitness test. See the accompanying administrative regulation for testing requirements.

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education (FITNESSGRAM) to students in grades 5, 7, and 9. (Education Code 60800; 5 CCR 1041)

Temporary Exemptions

CSBA NOTE: Education Code 51241 authorizes, but does not require, the district to grant temporary exemptions from physical education under the conditions described in ~~items~~ **Items** #1-2 below. During the FPM process, the district may provide a link to the district's policy as evidence of any physical education exemptions offered by the district. ~~The following section is optional and should be revised to reflect district practice.~~

The Superintendent or designee may grant a student a temporary exemption from physical education under either of the following conditions: (Education Code 51241)

1. The student is ill or injured and a modified program to meet the student's needs cannot be provided.
2. The student is enrolled for one-half time or less.

Two-Year Exemptions

CSBA NOTE: The following optional section is for use by districts that maintain grades 10-12. Education Code 51241 authorizes, but does not require, the district to grant a two-year exemption from physical education to eligible students in grades 10-12.

Pursuant to Education Code 51241, in order to be eligible for the two-year exemption, students are required to satisfactorily meet at least five of the six standards of the FITNESSGRAM administered in grade 9. Students are considered to have satisfactorily met a standard on the FITNESSGRAM if they score in the "healthy fitness zone" on that standard. The six fitness areas measured by FITNESSGRAM are aerobic capacity;₁ body composition;₂ abdominal strength and endurance;₃ trunk extensor strength and flexibility;₄ upper body strength and endurance;₅ and flexibility.

With the student's consent, the Superintendent or designee may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met at least five of the six standards of the FITNESSGRAM in grade 9. (Education Code 51241)

CSBA NOTE: In addition to administering the physical fitness test to students in grade 9, Education Code 51241 authorizes districts to administer the test to students in grades 10-12 so that such students may qualify for the two-year exemption. ~~The following paragraph is optional.~~

Upon request by students and/or their parents/guardians, the Superintendent or designee may administer the FITNESSGRAM to students in grades 10-12 who need to pass the test in order to qualify for a two-year exemption from physical education courses.

Students in grades 10-12 who have been granted a two-year exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 33352, 51222)

Such students shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (Education Code 51241)

Permanent Exemptions

CSBA NOTE: The following section is optional and should be revised to reflect district practice. CSBA NOTE: Education Code 51241 authorizes, but does not require, the district to grant permanent exemptions from physical education to an individual student under the conditions described in ~~items~~ **Items** #1-3 below.

The Superintendent or designee may grant a student a permanent exemption from physical education under any of the following conditions: (Education Code 51241)

1. The student is age 16 years or older and has been enrolled in grade 10 for one or more academic years:

_____ However, such a student shall not be permitted to attend fewer total hours of courses and classes than the student would have attended if enrolled in a physical education course.

2. The student is enrolled as a postgraduate student.
3. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise.

Students who have been granted a permanent exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 33352)

Other Exemptions

~~CSBA NOTE: The following optional section is for use by districts that maintain high schools and should be revised to reflect district practice.~~ **CSBA NOTE:** Education Code 51222, 51242, and 52316 authorize, but do not require, the following exemptions from physical education courses.

The Superintendent or designee may grant a student an exemption from physical education under the following special circumstances:

1. When the student is in any of grades 10-12 and is excused for up to 24 clock hours in order to participate in automobile driver training:

_____ However, any such student shall attend a minimum of 7,000 minutes of physical education instruction during the school year. (Education Code 51222)

2. When the student is in any of grades 10-12, attends a regional occupational center or program, and, because of the travel time involved, would experience hardship to attend physical education courses:

Any such student shall have a minimum school day of 180 minutes. (Education Code 52316)

3. When the student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)

Program Evaluation

~~CSBA NOTE: The following optional section should be revised to reflect district practice.~~ **CSBA NOTE:** Districts that do not maintain high schools or do not offer any of the exemptions described in the sections above on "Two-Year Exemptions" or "Permanent Exemptions" should modify the following paragraph to delete reports of two-year and permanent exemptions.

The Superintendent or designee shall annually report to the Board each school's FITNESSGRAM results for each applicable grade level. ~~The~~ **Additionally, the** Superintendent or designee shall also report to the Board regarding the number of instructional minutes offered in physical education for

each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the district's program in meeting goals for physical activity and student well-being.

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 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 10060	Criteria for high school physical education programs
5 CCR 1040-1044 <u>1043.10</u>	Physical performance test
5 CCR 1047-1048	Testing variations and accommodations
5 CCR 3051.5	Adapted physical education for individuals with exceptional needs
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
5 CCR 80020	Additional assignment authorizations for specific credentials
5 CCR 80037	Designated subjects teaching credential; special teaching authorization in physical education
5 CCR 80046.1	Added authorization to teach adapted physical education
Ed. Code 220	Prohibition of discrimination
Ed. Code 221.5	Equal opportunity
Ed. Code 33126	School accountability report card
Ed. Code 33350-33354 <u>33355</u>	CDE responsibilities <u>re:regarding</u> physical education
Ed. Code 35256	School Accountability Report Card
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<u>Ed. Code 49062</u>	<u>Student records</u>
Ed. Code 49066	Grades; change of grade; physical education grade
Ed. Code 51210	Course of study for grades 1-6
Ed. Code 51220	Course of study for grades 7-12
Ed. Code 51222	Physical education; instructional minutes
Ed. Code 51223	Physical education; elementary schools

[Ed. Code 51225.3](#)

[High school graduation requirements](#)

[Ed. Code 51240.5](#)

[Physical education; accommodation for religious fasting](#)

Ed. Code 51241

Temporary two-year or permanent exemption from physical education

Ed. Code 51242

Exemption from physical education for athletic program participants

Ed. Code 52316

Excuse from attending physical education classes; regional occupational center/program

Ed. Code 60800

Physical performance test

Federal

Description

29 USC 794

Rehabilitation Act of 1973; Section 504

34 CFR 106.33

Nondiscrimination on the basis of sex; comparable facilities

34 CFR 106.34

Nondiscrimination on the basis of sex; access to classes and schools

34 CFR 300.108

Assistance to states for the education of children with disabilities; physical education

42 USC 1758b

Local wellness policy

Management Resources

Description

Attorney General Opinion

53 Ops.Cal.Atty.Gen. 230 (1970)

California Department of Education
Publication

Physical Education Framework for California Public Schools,
Kindergarten Through Grade 12, 2009

California Department of Education
Publication

Physical Education Model Content Standards for California
Public Schools, Kindergarten Through Grade 12, January
2005

CDC Publication

School Health Index (SHI): A Self-Assessment and Planning
Guide, Middle/High School, 2017

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Guide, Elementary School, 2017

Commission on Teacher Credentialing
Publication

The Administrator's Assignment Manual, 2019

Court Decision

[Cal200 et al. v. Oakland Unified School District et al. \(San Francisco Superior Court, Case No. CPF-14-513959\)](#)

Court Decision

[Cal200 et al. v. San Francisco Unified School District et al. \(2013\), San Francisco Superior Court, Case No. CGC-13-534975](#)

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Cross References

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5148	Child Care And Development
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6142.4	Service Learning/Community Service Classes
6142.8	Comprehensive Health Education
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6143	Courses Of Study
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6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities

6145.2	Athletic Competition
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6145.5	Student Organizations And Equal Access
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6172	Gifted And Talented Student Program
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6177	Summer Learning Programs
6178.2	Regional Occupational Center/Program
6179	Supplemental Instruction
6190	Evaluation Of The Instructional Program
7110	Facilities Master Plan

Regulation 6142.7: Physical Education And Activity

Status: ADOPTED

Original Adopted Date: 07/01/2007 | Last Revised Date: ~~07/02/01/2020~~2026 | Last Reviewed
Date: ~~07/02/01/2020~~2026

Definitions

CSBA NOTE: The following optional administrative regulation may be revised to reflect district practice and the grade levels offered by the district.

The following section reflects definitions provided in the California Department of Education's (CDE) 2009 Physical Education Framework for California Public Schools and Education Code 33355.

Extreme weather conditions are occurrences of unusually severe weather conditions, including, but not limited to, periods of extreme heat, excessive precipitation, and floods, that may pose significant harm to students. (Education Code 33355)

Moderate physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, walking briskly, dancing, swimming, or bicycling on level terrain. A person should feel some exertion but should be able to carry on a conversation comfortably during the activity.

Physical activity is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms.

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity that assists in developing and maintaining physical fitness throughout their lifetime, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

Physical activity is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms.

Vigorous physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, jogging, participating in high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. Vigorous physical activity may be intense enough to result in a significant increase in heart and respiration rate.

Instructional Time

CSBA NOTE: The district should revise the following section to reflect the grade levels and grade configurations offered by the district.
CSBA NOTE: Education Code 51210 requires the adopted course of study for grades 1-6 to include instruction in physical education for at least 200 minutes

each 10 school days, exclusive of recess and the lunch period. For grades 7-12, Education Code 51222 requires that all students, except students excused or exempted pursuant to Education Code 51241, attend courses of physical education for at least 400 minutes each 10 school days. However, pursuant to Education Code 51223, an elementary school maintaining grades 1-8 is required to provide instruction in physical education for students in grades 7-8 that matches the requirement for grades 1-6 of not less than 200 minutes each 10 school days, exclusive of recess and the lunch period.

When determining the number of instructional minutes, it is recommended that districts exclude time spent walking to and from class or engaging in other physical activity conducted outside the physical education instructional program, such as in regular classroom activities or before/after school programs.

Instruction in physical education shall be provided for at least the following minimum period of time: (Education Code 51210, 51222, 51223)

1. For students in grades 1-6, 200 minutes each 10 school days, exclusive of recess and the lunch period
2. For students in grades 7-8 attending an elementary school, 200 minutes each 10 school days, exclusive of recess and the lunch period
3. For students in grades 7-8 attending a middle school or junior high school, 400 minutes each 10 school days
4. For students in grades 9-12, 400 minutes each 10 school days

CSBA NOTE: ~~Districts are cautioned~~ Pursuant to Education Code 51222, the Governing Board of a district serving students in grades 6-12 is authorized to adopt a policy providing for an alternate term schedule for physical education classes in a manner that takes into consideration circumstances courses if specified conditions are met. Education Code 51222, as amended by AB 1216 (Ch. 88, Statutes of 2025), clarifies that the alternative term schedule minimum minute requirements are required to be calculated by school days. Districts that may occasionally interfere with the provision of do not offer an alternate term schedule for physical education. Under a settlement reached in Cal200 et al. v. San Francisco Unified School District, schools that skip minutes of courses should delete the following paragraph.

An alternate term schedule may be provided for physical education courses in grades 6-12, if the following conditions are met: (Education Code 51222)

1. For students in grade 6 to receive no less than 400 minutes of instruction for any reason are required to make up those minutes on another day so that the each 10 school days for a semester of not fewer than 18 weeks during the regular school year, for a total of 3,600 instructional minutes requirement is satisfied for the school year

2. For students in grades 7-12 to receive no less than 800 minutes of instruction every 10 school days for a semester of not fewer than 18 weeks during the regular school year, for a total of 7,200 instructional minutes for the school year
3. The physical education program is aligned with the physical education framework adopted by the State Board of Education (SBE) in that it provides a sequential, articulated, age-appropriate program
4. The physical education program complies with the course of study requirements of high school physical education programs, as applicable
5. Students are prepared for, and participate in, the physical performance testing as specified in Education Code 60800

If the instructional minute requirement cannot be met during any 10-day period due to inclement weather, a school assembly, field trip, student assessment, or other circumstance, the school shall make up those minutes on another day in order to satisfy the instructional minute requirement.

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. In order to demonstrate compliance with instructional minute requirements, it is recommended that the district determine the method(s) of documentation it will use and ensure consistent implementation. For examples of such methods, see CDE's [FPM Federal Program Monitoring](#) instrument, "Physical Education Guidelines Elementary Schools," and "Physical Education Guidelines Middle and High School," [located on its website](#).

The Superintendent or designee shall determine a method to document compliance with the required number of instructional minutes. Such documentation may include, but not be limited to, a master schedule, bell schedule, weekly schedule for each teacher providing physical education instruction, district calendar, teacher roster, or log for staff or students to record the number of physical education minutes completed.

CSBA NOTE: Education Code 51210, [51222](#), and 51223 authorize the use of uniform complaint procedures (5 CCR 4600-4670) for any complaint that an ~~elementary~~ school has not complied with the physical education instructional minute requirement. ~~Education Code 51222, as amended by SB 75 (Ch. 51, Statutes of 2019), extends such use of uniform complaint procedures to grades 7-12.~~ See BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint alleging noncompliance with the instructional minute requirement may be filed in accordance with the district's procedures in [AR Administrative Regulation](#) 1312.3 - Uniform Complaint Procedures. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or CDE finds merit in a complaint, the district shall provide a remedy to all affected students and parents/guardians. (Education Code 51210, 51222, 51223; 5 CCR 4600-4670)

Monitoring Moderate to Vigorous Physical Activity

CSBA NOTE: The following optional section may be revised to reflect district practice. See the accompanying Board policy ~~for~~ [includes](#) language establishing goals for moderate to vigorous physical activity in physical education classes.

To monitor the amount of time students are engaged in moderate to vigorous physical activity, the Superintendent or designee may:

1. Develop methods to estimate the amount of time students spend in moderate to vigorous physical activity and the amount of time students are inactive during physical education classes
2. Provide physical education teachers with staff development, self-monitoring tools, stopwatches, and/or heart rate monitors to assist them in planning and assessing the level of activity in their classes

Physical Fitness Testing

CSBA NOTE: Education Code 60800 requires districts to administer a physical fitness test to students in grades 5, 7, and 9. The State Board of Education has designated FITNESSGRAM as the required physical fitness test. Pursuant to 5 CCR 1041, this requirement also applies to students who attend schools that are on a block schedule and students who may not be enrolled in physical education classes during the annual assessment window.

The following paragraph should be modified to reflect grade levels offered by the district. In addition **Additionally**, if the district has chosen to administer the test in any of grades 10-12 (see accompanying Board policy), the following paragraph should be modified accordingly.

During the annual assessment window between the months of February through May, students in grades 5, 7, and 9 shall be administered the physical fitness test designated by the State Board of Education **SBE** (FITNESSGRAM). (Education Code 60800; 5 CCR 1041)

The Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury. (5 CCR 1043)

CSBA NOTE: ~~The following paragraph is optional.~~ 5 CCR 1043.4 authorizes, but does not require, the district to designate a physical fitness test coordinator. If the district chooses to designate a test coordinator, the duties **must of the test coordinator are required to** include those described in 5 CCR 1043.4.

On or before November 1 of each school year, the Superintendent may designate an employee to serve as the district's physical fitness test coordinator and so notify the test contractor. The test coordinator shall serve as the liaison between the district and CDE for all matters related to the physical fitness test. The duties **of the test coordinator** shall be ~~those specified in 5 CCR 1043.4,~~ **including include**, but **are** not limited to: (5 CCR 1043.4)

1. Responding to correspondence and inquiries from the contractor in a timely manner and as provided in the contractor's instructions
2. Determining district and school site test and test material needs
3. Overseeing the administration of the physical fitness test to students
4. ~~Overseeing the collection and return of all test data to the contractor~~

5. 4. Ensuring that all test data are received from school test sites in sufficient time to satisfy the reporting requirements

~~6. Ensuring that all test data are sent to the test contractor by June 30 of each year~~

Students shall be provided with their individual results after completing the FITNESSGRAM. The test results may be provided in writing or orally as the student completes the testing, and shall be included in the student's cumulative record. (Education Code 49062, 60800; 5 CCR 1043.10; ~~1044~~)

CSBA NOTE: The following paragraph is optional.

Each student's test results shall also be provided to the student's parents/guardians.

The Superintendent or designee shall report the aggregate results of the FITNESSGRAM in the annual school accountability report card required by Education Code 33126 and 35256. (Education Code 60800)

Testing Variations

All students may be administered the FITNESSGRAM with the following test variations: (5 CCR 1047)

1. Extra time within a testing day
2. Test directions that are simplified or clarified

All students may have the following test variations if they are regularly used in the classroom: (5 CCR 1047)

1. Audio amplification equipment
2. Separate testing for individual students provided that the student(s) are directly supervised by the test examiner
3. Manually Coded English or American Sign Language to present directions for test administration

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (Education Code 60800; 5 CCR 1047)

Students with disabilities may be provided the following accommodations if specified in their individualized education program (IEP) or Section 504 plan: (5 CCR 1047)

1. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor

2. Administration of the test by a test examiner to the student at home or in the hospital
3. Any other accommodation specified in the student's IEP or Section 504 plan for the physical fitness test

Identified English learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)

1. Separate testing with other English learners, provided that the student(s) are directly supervised by the test examiner
2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language

Additional Opportunities for Physical Activity

CSBA NOTE: The following optional section may be revised to reflect district practice. [CSBA](#)
NOTE: Item #1 below should be modified or deleted by districts that do not maintain elementary schools.

The Superintendent or designee ~~shall~~may implement strategies for increasing opportunities for physical activity outside the physical education program, which may include, but not be limited to:

1. Training recess, lunch, and before- and after-school supervisors on methods to engage students in moderate to vigorous physical activity
2. Encouraging teachers to incorporate physical activity into the classroom
3. Establishing extracurricular activities that promote physical activity, such as school clubs, intramural athletic programs, dance performances, community service, special events, and competitions
4. Incorporating opportunities for physical activity into before- or after-school programs and/or child care and development programs
5. Exploring opportunities for joint use of facilities or grounds in order to provide adequate space for students and community members to engage in recreational activities
6. Developing business partnerships to maximize resources for physical activity equipment and programs
7. Developing programs to encourage and facilitate walking, bicycling, or other active transport to and from school

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 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 10060	Criteria for high school physical education programs
5 CCR 1040-1044 1043.10	Physical performance test
5 CCR 1047-1048	Testing variations and accommodations
5 CCR 3051.5	Adapted physical education for individuals with exceptional needs
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
5 CCR 80020	Additional assignment authorizations for specific credentials
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Policy 6146.1: High School Graduation Requirements

Status: ADOPTED

Original Adopted Date: 12/01/2017 | Last Revised Date: ~~12/02/01/2023~~2026 | Last Reviewed Date: ~~12/02/01/2023~~2026

CSBA NOTE: The following optional policy is for use by districts that maintain grades 9-12.

The Governing Board desires to prepare all students to successfully complete the high school course of study and obtain a diploma that represents their educational achievement and increases their opportunities for postsecondary education and employment.

District students shall complete graduation course requirements as specified in Education Code 51225.3. ~~Unless~~Additionally, unless exempted as provided in "Exemptions from District-Adopted Graduation Requirements," for Highly Mobile Students" below, or in Board Policy 6146.4 – Differential Graduation and Competency Standards for Students with Disabilities, district students shall ~~also~~ complete other course requirements adopted by the Board. Students who are exempted from district-adopted graduation requirements shall be eligible to participate in any graduation ceremony and school activity related to graduation in which other students are eligible to participate.

Course Requirements

CSBA NOTE: Education Code 51225.3 specifies the courses that a student is required to complete in order to graduate from high school as listed in Items #1-~~7~~8 below.

Pursuant to Education Code 66204, each district that maintains a high school is required to develop a process for submitting courses to the University of California (UC) to review and certify that they align with the "A-G" course requirements for college admission.

To obtain a high school diploma, students shall complete the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Three courses in English (Education Code 51225.3)
2. Two courses in mathematics (Education Code 51225.3)

Students shall complete at least one mathematics course that meets the state academic content standards for Algebra I or Mathematics I. Students may complete such coursework prior to grade 9 provided that they also complete two mathematics courses in grades 9-12. (Education Code 51224.5)

CSBA NOTE: The following paragraph is for districts that require more than two mathematics courses for high school graduation. Pursuant to Education Code 51225.3 and 51225.35, a district that requires more than two courses in mathematics may award up to one mathematics course

credit for an approved computer science course. Any such course ~~must~~ **is required to** have been approved by UC as a "category C" (mathematics) course in the university's "A-G" course admission criteria; see BP 6143 - Courses of Study.

Successful completion of an approved computer science course that is classified as a "category C" course based on the University of California (UC) and California State University (CSU) "A-G" admission requirements shall be counted toward the satisfaction of additional graduation requirements in mathematics. (Education Code 51225.3, 51225.35)

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)
4. Three courses in social studies, including United States (~~U.S.~~ **US**) history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

CSBA NOTE: Pursuant to Education Code 51225.3, as amended by AB 185~~821~~ (Ch. 571~~622~~, Statutes of ~~2022~~**2025**), the option to authorize the completion of a course in career technical education (CTE) in lieu of the visual or performing arts or world language course requirement for high school graduation, ~~which authority was deleted by AB 101 (Ch. 661, Statutes of 2021), has been restored until July 1, 2028~~ **has been extended indefinitely.**

5. One course in visual or performing arts, world language, or career technical education (CTE.)

For purposes of this requirement, a course in American Sign Language shall be deemed a course in world language. (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education. (Education Code 51225.3)

CSBA NOTE: Pursuant to Education Code 51222, if the district maintains any of grades 6-12 the Governing Board may adopt a policy providing for an alternate term schedule for physical education courses, which shall be deemed to satisfy the requirements of a course in physical education for purposes of obtaining a high school diploma. For more information regarding an alternate physical education schedule, see AR 6142.7 – Physical Education and Activity.

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

CSBA NOTE: ~~Pursuant~~ **Subject to funding in the annual Budget Act or other statute, pursuant to** Education Code 51225.3, ~~beginning with the 2025–26 school year,~~ the district is required to offer students in grades 9 to ~~–~~12 a one-semester course in ethnic studies and beginning with the 2029-30 school year, a student is required to complete a one-semester course in ethnic studies, as specified, in order to graduate from high school. At its discretion, a district may require a full-year course. Districts that require a full-year course should revise Item #7 accordingly.

Beginning Item #7 is conditional upon the Legislature appropriating funding for ethnic studies courses. If funding is appropriated, districts will be required to offer a one-semester ethnic studies course, as specified.

7. Contingent on funding, beginning with the 2029-30 school year, a one-semester course in ethnic studies (Education Code 51225.3)

CSBA NOTE: Pursuant to Education Code 51225.3, the Governing CSBA NOTE: Pursuant to Education Code 51225.3, the district is required, commencing in the 2027-28 school year, to offer a one semester course in personal finance. Additionally, Education Code 51225.3 authorizes districts to exempt a student who completes a separate, stand-alone one-semester course in personal finance, that is not combined with any other course, from the graduation requirement to complete a one-semester course in economics.

Pursuant to Education Code 51226.8, the Instructional Quality Commission is required to develop and recommend to the State Board of Education a curriculum guide and resources for a separate, stand-alone one-semester course in personal finance that is not combined with any other course.]

8. Beginning with the 2030-31 school year, a separate, stand-alone one-semester course in personal finance, that is not combined with any other course (Education Code 51225.3)

A student who completes a separate stand-alone one-semester course in personal finance may be exempted from the requirement to complete a one-semester course in economics. (Education Code 51225.3)

CSBA NOTE: Pursuant to Education Code 51225.3, the Board may prescribe additional coursework (e.g., health education or service learning) or other requirements (e.g., portfolios or senior projects) that district students must **are required to** complete in order to obtain a diploma. If the Board does so, such courses or projects should be listed below.

If the district requires a course in health education for graduation, Education Code 51225.36 requires that the district include instruction in sexual harassment and violence, including, but not limited to, information on the affirmative consent standard pursuant to Education Code 67386. See BP 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. ~~In addition~~ **Additionally**, pursuant to Education Code 51225.6, a district that requires a course in health education for graduation is required to include instruction in compression-only cardiopulmonary resuscitation (CPR). See AR 6143 - Courses of Study.

Pursuant to Education Code 51230, if the district requires the completion of community service hours for high school graduation, the district may provide a student with credit towards that requirement for completion of a course in community emergency response training. However, if the district chooses to offer credit for the completion of such a course, the Board is still obligated to notify parents/guardians, students, and the public of information specified in Education Code 51225.3.

8. _____

Additionally, to obtain a high school diploma, students in grades 9-12 shall complete the following Board-adopted courses or requirements:

CSBA NOTE: Education Code 51225.3 requires the Board to adopt alternative means for students to complete the prescribed course of study. See BP/AR 6146.11 - Alternative Credits Toward Graduation.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

Exemptions from District-Adopted Graduation Requirements

CSBA NOTE: Pursuant to Education Code 51225.3, the Board is authorized to exempt students from any district-adopted coursework requirements that are in addition to the statewide course requirements which district students are required to complete in order to obtain a diploma. In granting such exemption, the law encourages that a consultation be had with the student and the educational rights holder for the student, regarding any impact that the nonfulfillment of the locally required coursework may have on the student's ability to gain admission to an institution of higher education. The following paragraph is only for districts that provide such an exemption and should be deleted by districts that do not provide the exemption.

The Superintendent or designee may exempt a student from any graduation requirements adopted by the Board that are in addition to the statewide course requirements. Before exempting a student from such requirements, the Superintendent or designee shall consult with the student and the educational rights holder for the student regarding any impact of not fulfilling district-adopted coursework on the student's ability to gain admission to an institution of higher education. (Education Code 51225.3)

Exemptions from District-Adopted Graduation Requirements for Highly Mobile Students

Highly mobile student means a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, student who is migratory, or a student participating in a newcomer program as specified in Education Code 51225.1.

CSBA NOTE: Education Code 51225.1 requires the district to exempt from any district-adopted graduation requirements that are in addition to the state requirements specified in Education Code 51225.3 a foster youth, a student experiencing homelessness, a former juvenile court school student, a child of a military family, a migrant student who is migratory who transfers into the district or between district high schools any time after completing the second year of high school, or, as amended by AB 714 (Ch. 342, Statutes of 2023), a newcomer a student as defined participating in Education Code 51225.2a newcomer program, who is in the third or fourth year of high school: (highly mobile students). This exemption does not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of the fourth year of high school. Also see AR 6173 - Education for Homeless Children, AR 6173.1 - Education for Foster Youth, AR 6173.2 - Education of Children of

Military Families, AR 6173.3 - Education for Juvenile Court School Students, and AR 6175 - Migrant Education Program.

Pursuant to Education Code 51225.25, a "student participating in a newcomer program," as that term was defined by Education Code 51225.2 on January 1, 2023, who was enrolled prior to January 1, 2024, is entitled to the rights specified in Education Code 51225.1 and 51225.2. The district may, in its discretion, extend the rights established in Education Code 51225.1 to other students participating in a newcomer program.

Pursuant to Education Code 51225.1, within 30 calendar days of the transfer into a school by a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant student, or newcomer student, as applicable, the district is required to notify any eligible student and/or the student's parent/guardian, the student's educational rights holder, the district's liaison for homeless children, and the student's social worker or probation officer, as applicable, of the availability of the exemption from local graduation requirements and whether the student qualifies for it. If the district fails to provide that notification, the student will be eligible for the exemption once notified, even if the notification is received after the termination of the court's jurisdiction over the foster youth or former juvenile court school student, after the student experiencing homelessness ceases to be homeless, or after the student no longer meets the definition of a child of a military family, a migrant student who is migratory, or a student participating in a newcomer student program, as applicable.

Additionally, Education Code 51225.1 also provides that, if an exempted student completes the statewide coursework requirements before the end of the fourth year of high school, the district or a district school must not require or request that the student graduate before the end of the fourth year of high school.

Any complaint alleging the district's failure to comply with the requirements of Education Code 51225.1 may be filed using the district's uniform complaint procedures pursuant to 5 CCR 4600-4670. See BP/AR 1312.3 - Uniform Complaint Procedures.

A foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant A highly mobile student who transfers into the district or between district schools any time after completing the second year of high school, or , if a newcomer student, who is in the third or fourth year of high school, shall be exempted from any graduation requirements adopted by the Board that are in addition to statewide course requirements. This exemption shall not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the additional requirements in time to graduate by the end of the fourth year of high school.

To determine whether a highly mobile student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer, the length of school enrollment, or, for a student with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school, whichever qualifies the student for the exemption. Additionally, for a newcomer student, enrollment in grade 11 or 12 based on the average age of students in the third or fourth year of high school may be used to determine whether the student is in the student's third or fourth year of high school. (Education Code 51225.1)

Within 30 days of the transfer into a school by the foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant student, or newcomer student, as applicable a [highly mobile student](#), the Superintendent or designee shall notify any eligible student, and others as required by law, of the availability of the exemption from local graduation requirements and whether the student qualifies for it. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, the district may not require or request [If](#) a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant student, or newcomer [highly mobile](#) student who is exempted from district-established graduation requirements and completes statewide coursework requirements before the end of the student's fourth year of high school to graduate early, as described below.

The Superintendent or designee shall not require or request the foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant student, or newcomer student who is exempted from district-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, to graduate before the end of the student's fourth year of high school. (Education Code 51225.1)

CSBA NOTE: Education Code 51225.1, as amended by SB 532 (Ch. 918, Statutes of 2022), requires the district to exempt a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant student, or newcomer student who qualifies [eligible](#) for an exemption from district-established graduation requirements, under the circumstances described below.

If the foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant student, or newcomer student was not properly notified of [anthe](#) exemption, declined the exemption, or was not previously exempted, the student or the student's educational rights holder may request the exemption and the Superintendent or designee shall exempt the student within 30 days of the request. Any such student who at one time qualified for the exemption may request the exemption even if the student is no longer eligible. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.31, as amended by SB 114 (Ch. 48, Statutes of 2023) and SB 141 (Ch. 194, Statutes of 2023), districts are required to exempt an eligible student with disabilities, that entered the ninth grade in the 2022-23 school year and later, from all coursework and other requirements adopted by the Board that are in addition to the statewide course requirements specified in Education Code 51225.3, and award such student a high school diploma, as reflected below. Awarding a diploma pursuant to this exception does not change the district's obligation to provide a free appropriate public education (FAPE) until 22 years of age or otherwise constitute a change in placement.

Additionally, a student with disabilities shall be eligible for an exemption from all coursework and other requirements adopted by the Board in addition to the statewide course requirements for high school graduation, if the student's individualized education program (IEP) provides for both of the following requirements: (Education Code 51225.31)

1. That the student is eligible to take the alternate assessment as described in Education Code 60640

2. That the student complete state standards aligned coursework to meet the statewide coursework specified in Education Code 51225.3

CSBA NOTE: Pursuant to Education Code 51225.31, as amended by SB 114 and SB 141, participation in graduation activities by a student with a disability who is exempted from district-adopted graduation requirements that are in addition to the statewide course requirements specified in Education Code 51225.3, may not be construed as a termination of the district's responsibility to provide FAPE unless the student's individualized education program team, which includes the parent/guardian and student, has determined that the student has completed the high school experience.

The district's responsibility to provide a free appropriate public education shall not terminate when a student with a disability who is exempted from district-adopted graduation requirements participates in graduation activities unless the IEP team, which includes the parent/guardian and student, has determined that the student has completed the high school experience. (Education Code 51225.31)

When a highly mobile student is not exempted from district-established graduation requirements based on the Superintendent's or designee's determination that the student is reasonably able to complete such requirements by the end of the student's fourth year of high school, within 30 calendar days of the following academic year the student shall be reevaluated based on the student's course completion status at the time to determine if the student continues to be reasonably able to complete the district-established graduation requirements in time to graduate by the end of the student's fourth year of high school. Written notice as to whether the student then qualifies for exemption shall be provided to the student, the person holding the right to make educational decisions for the student, and if applicable, to the student's social worker or probation officer. (Education Code 51225.1)

If, upon reevaluation, it is determined that the highly mobile student is not reasonably able to complete the district-established graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the Superintendent or designee shall provide the student with the option to receive an exemption from district-established graduation requirements or stay in school for a fifth year to complete the district-established graduation requirements upon agreement with the student, or if under 18 years of age, the person holding the right to make educational decisions for the student, and provide notifications in accordance with Education Code 51225.1. (Education Code 51225.1)

When a highly mobile student is exempted from district-established graduation requirements, the Superintendent or designee shall consult with the student and the person holding the right to make educational decisions for the student regarding the following: (Education Code 51225.1)

1. Discussion of how any requirements that are waived may affect the student's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution
2. Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges

3. Consideration of the student's academic data and any other information relevant to making an informed decision on whether to accept the exemption

The district shall not require or request a highly mobile student to transfer schools in order to qualify for an exemption and shall not grant any request made by an eligible student, or the student's parent/guardian, the person holding the right to make educational decisions for the student, the student's social worker, the student's probation officer, or the district liaison on behalf of the student, as applicable, for a transfer solely to qualify for an exemption. (Education Code 51225.1)

The Superintendent or designee shall not require a highly mobile student who is eligible for an exemption from district-established graduation requirements and would otherwise be entitled to remain in attendance at the school, to accept the exemption or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether such courses are required for statewide graduation requirements. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, once a student is granted an exemption from district-established graduation requirements, the exemption may not be revoked, as long as the student remains in school, even if the student is no longer a "highly mobile student," as defined. For example, an exemption granted to a student who is a foster youth will continue to apply even after the termination of the court's jurisdiction over the student.

If a highly mobile student is exempted from district-established graduation requirements, the exemption shall not be revoked. Additionally, the exemption shall continue to apply while the student is enrolled in the school or transfers to another school, including a charter school, or school district, including after the student has ceased to meet the definition of a highly mobile student. (Education Code 51225.1)

The Superintendent or designee shall not require or request a highly mobile student who is exempted from district-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, to graduate before the end of the student's fourth year of high school. (Education Code 51225.1)

Upon making a finding that a highly mobile student is reasonably able to complete district-established graduation requirements within the fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Consult with the student and, if under 18 years of age, the person holding the right to make educational decisions for the student, of the option to remain in school for a fifth year to complete the district-established graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution
2. Consult with and provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or with the person holding the right to make educational decisions for the student if under 18 years of age, permit the student to stay in school for a

fifth year to complete the district-established graduation requirements

4. For a foster youth or a student who is experiencing homelessness, consult with the student and the person holding the right to make educational decisions for the student of the option to remain in the student's school of origin

When a highly mobile student who is eligible for an exemption from district-established graduation requirements is not reasonably able to complete the district-established graduation requirements within the student's fifth year of high school but is reasonably able to complete the statewide coursework requirements within the fifth year of high school, the student shall be exempted from all district-established graduation requirements and be provided with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, the Superintendent or designee shall consult with the student and the person holding the right to make educational decisions for the student, regarding the following: (Education Code 51225.1)

1. The student's option to remain in school for a fifth year to complete statewide coursework requirements
2. The effect of waiving the district-established requirements and remaining in school for a fifth year on the student's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education
3. Other options available to the student, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges
4. The student's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements

CSBA NOTE: Education Code 51225.1 provides that complaints of noncompliance with specified requirements related to the educational rights of highly mobile students may be filed in accordance with the uniform complaint procedures (UCP) specified in 5 CCR 4600-4670. As with other complaints covered under the UCP, a complainant may appeal the district's decision to the California Department of Education (CDE) and, if the district or CDE finds any merit in the complaint, the district is required to provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Information regarding the educational rights of highly mobile students, as specified in Education Code 51225.1, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of highly mobile students, as specified in Education Code 51225.2, may be filed in accordance with the district's procedures in Administrative Regulation 1312.3 - Uniform Complaint Procedures.

CSBA NOTE: Pursuant to Education Code 51225.1, as amended by SB 532, districts are required to annually report to the California Department of Education (CDE) regarding the number of

students who, for the prior school year, graduated with an exemption from the district-established graduation requirements that are in addition to statewide coursework requirements, as specified below.

Pursuant to Education Code 60900.2, as added by AB 1340 (Ch. 576, Statutes of 2023), and contingent upon funding for these purposes, CDE is required, on or before January 1, 2025, to report on its website statewide four and five year cohort graduation rates for students with disabilities disaggregated by the identified disability or disabilities as listed in 34 CFR 300.8.

Annually, the Superintendent or designee shall report to the California Department of Education, in accordance with Education Code 51225.1, the number of student's graduating from the fourth or fifth year of high school who, for the prior school year, graduated with an exemption from district-established graduation requirements that are in addition to statewide coursework requirements.

Retroactive Diplomas

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 shall be granted a high school diploma. (Education Code 51413)

CSBA NOTE: Items #1-5 below are optional and may be revised to reflect district practice.

~~In addition~~ **Additionally**, the district may retroactively grant high school diplomas to former students who: (Education Code 48204.4, 51430, 51440)

1. Departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure

Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the district that are consistent with the purposes of Education Code 48204.4.

In determining whether to award a diploma under these circumstances, the Superintendent or designee shall consider any coursework that may have been completed outside of the U.S. or through online or virtual courses.

2. Were interned by order of the federal government during World War II or are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district high school immediately preceding the internment or military service and did not receive a diploma because their education was interrupted due to the internment or military service in those wars

Deceased former students who satisfy these conditions may be granted a retroactive diploma to be received by their next of kin.

3. Are veterans who entered the military service of the U.S. while in grade 12 and who had satisfactorily completed the first half of the work required for grade 12 in a district school
4. Are former members of the military, a resident of California, and received an honorable discharge, or, are current members of the military, a resident of California, and a resident of California when entering the military

In determining whether to award a diploma under these circumstances, the Superintendent or designee shall evaluate classes completed in any high school, community college, or state college, grant credit toward graduation for military service and training received while in the military, and if satisfied that the person has completed the equivalent of the requirements for graduation from high school, grant the person a diploma of graduation.

5. Were in their senior year of high school during the 2019-20 school year, were in good academic standing and on track to graduate at the end of the 2019-20 school year as of March 1, 2020, and were unable to complete the statewide graduation requirements as a result of the COVID-19 crisis

Honorary Diplomas

CSBA NOTE: The following optional section reflects the Board's authority to confer honorary high school diplomas pursuant to Education Code 51225.5 and may be revised to reflect district practice.

The Board may grant an honorary high school diploma to: (Education Code 51225.5)

1. An international exchange student who has not completed the course of study ordinarily required for graduation and who is returning to the student's home country following the completion of one academic school year in the district
2. A student who is terminally ill

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district. (Education Code 51225.5)

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 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 1600-1651	Graduation of students from grade 12 and credit toward graduation
5 CCR 4600-4670	Uniform complaint procedures
Ed Code 60900.2	Students with Disabilities Graduation Reporting
Ed. Code 220	Prohibition of discrimination

Ed. Code 47612	Average daily attendance in charter school
Ed. Code 48200	Compulsory attendance
Ed. Code 48204.4	Parents/guardians departing California against their will
Ed. Code 48412	Certificate of proficiency
Ed. Code 48430	Continuation education schools and classes
Ed. Code 48645.5	Former juvenile court school students; enrollment
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children
<u>Ed. Code 51222</u>	<u>Courses of study, grades 7 to 12</u>
Ed. Code 51224	Skills and knowledge required for adult life
Ed. Code 51224.5	Algebra in course of study for grades 7-12
Ed. Code 51225.1	Exemption from district graduation requirements
Ed. Code 51225.2	Course credits
<u>Ed. Code 51225.25</u>	<u>Students participating in a newcomer program; definition</u>
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51225.31	Graduation exemption for students with disabilities
Ed. Code 51225.35	Mathematics course requirements; computer science
Ed. Code 51225.36	Instruction in sexual harassment and violence; districts that require health education for graduation
Ed. Code 51225.5	Honorary diplomas; foreign exchange and terminally ill students
Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation; districts that require health education for graduation
Ed. Code 51225.9	Courses of study, grades 7 to 12; career technical education
Ed. Code 51226.7	Model curriculum in ethnic studies
Ed. Code 51228	Course of study; offerings and timely opportunity
<u>Ed. Code 51226.8</u>	<u>Personal finance curriculum guide</u>
Ed. Code 51230	Credit for community emergency response training
Ed. Code 51240-51246	Exemptions from requirements
Ed. Code 51250-51251	Assistance to military dependents
Ed. Code 51410-51413	Diplomas
Ed. Code 51420-51427	High school equivalency certificates

Ed. Code 51430	Retroactive high school diplomas
Ed. Code 51440	Credit and granting of diploma to veterans and members of the military service
Ed. Code 51450-51455	Golden State Seal Merit Diploma
Ed. Code 51744-51749.6	Independent study
Ed. Code 56390-56392	Recognition for educational achievement; special education
Ed. Code 60640	California Assessment of Student Performance and Progress
Ed. Code 66204	Certification of high school courses as meeting university admission criteria
Ed. Code 67386	Student safety; affirmative consent standard

Federal

20 USC 7011

34 CFR 300.1-300.818

Management Resources

Court Decision

Description

Definition of newcomer student

Individuals with Disabilities Education Act

Description

O'Connell v. Superior Court (Valenzuela) (2006) 141 Cal.App.4th 1452

[California Department of Education Publication](#)

[Diploma Pathway for Students who Qualify for the California Alternate Assessment, November 2024](#)
(<https://www.cde.ca.gov/sp/se/lr/om082523.asp>)

[California Department of Education Publication](#)

[Alternate Assessment IEP Team Guidance](#)
(<https://www.cde.ca.gov/ta/tg/ca/caaiepteamrev.asp>)

Website

CSBA District and County Office of Education Legal Services

Website

California Department of Education, High School

[Website](#)

[California Department of Education, Personal Finance](#)
(<https://www.cde.ca.gov/ci/cr/cf/personalfinance.asp#curriculumguide>)

Website

University of California, List of Approved A-G Courses

Website

CSBA

Cross References

Code

0460

Description

Local Control And Accountability Plan

0460

Local Control And Accountability Plan

1312.3

Uniform Complaint Procedures

1312.3

Uniform Complaint Procedures

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6172.1	Concurrent Enrollment In College Classes
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Policy 6146.3: Reciprocity Of Academic Credit

Status: ADOPTED

Original Adopted Date: 06/01/1991 | Last Revised Date: 07/02/01/20042026 | Last Reviewed Date: 07/02/01/20042026

CSBA NOTE: The following optional policy ~~should~~may be modified to reflect district practice.

The Governing Board intends that, to the extent possible, all students, including students who transfer into the district, complete the district's academic program timely and graduate with their peers.

To determine whether students transferring into the district have met district course requirements, the Superintendent or designee shall establish procedures to evaluate the comparability of courses and/or students' understanding of course content. Such procedures shall include methods for determining the number of years of school attendance, the specific courses completed by the student, and the value of credits earned.

CSBA NOTE: AB 490 (Ch. 862, Statutes of 2003) amended Pursuant to Education Code 48645.5 to require, districts are required to accept for credit full or partial coursework completed in a public school or nonpublic nonsectarian school or agency in addition to a juvenile court school.

The district shall accept for credit full or partial coursework satisfactorily completed by students while attending a public school, a juvenile court school, or nonpublic nonsectarian school or agency. (Education Code 48645.5)

Pending evaluation of the transferring student's academic performance, the student shall be placed at the grade level reached prior to enrollment in the district. Within 30 days of enrollment, the principal or designee shall complete the evaluation and determine the student's appropriate grade placement.

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 to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 35160	Authority of governing boards
Ed. Code 35160.1	Broad authority of school districts
Ed. Code 47612.5	Charter schools operations; general requirements

Ed. Code 48011	Admission from kindergarten or other school; minimum age
Ed. Code 48645.5	Former juvenile court school students; enrollment
Ed. Code 51225.2	Transferability of coursework
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51228	Course of study; offerings and timely opportunity
Ed. Code 60605	State-adopted content and performance standards in core curricular areas
Ed. Code 60640-60648.5	California Assessment of Student Performance and Progress
Ed. Code 64001	School plan for student achievement; consolidated application programs

State

[5 CCR 4600-4670](#)

Management Resources

[California Child Welfare Council Publication](#)

Website

Cross References

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5121

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Description

[Uniform complaint procedures](#)

Description

[Partial Credit Model Policy and Practice Recommendations](#)

(<https://www.chhs.ca.gov/wp-content/uploads/2017/06/Committees/California-Child-Welfare-Council/Council-Meeting-Information/Council-Meeting-Info-Archive/Partial-Credit-Model-Policy-and-Practice-Recommendations.pdf>)

CSBA District and County Office of Education Legal Services

Description

[Uniform Complaint Procedures](#)

Charter School Authorization

Charter School Authorization

Admission

Admission

Interdistrict Attendance

Interdistrict Attendance

Grades/Evaluation Of Student Achievement

Grades/Evaluation Of Student Achievement

5123	Promotion/Acceleration/Retention
5123	Promotion/Acceleration/Retention
6011	Academic Standards
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6173	Education For Homeless Children
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6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families

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Alternative Schools/Programs Of Choice

6181

Alternative Schools/Programs Of Choice

Regulation 6146.3: Reciprocity Of Academic Credit

Status: ADOPTED

Original Adopted Date: 07/01/2000 | Last Revised Date: 02/01/2026 | Last Reviewed Date: 07/01/2000/2026

CSBA NOTE: The following optional regulation provides separate procedures for those students transferring from accredited schools as opposed to those students transferring from non-accredited schools. This regulation should be modified to reflect district practice.

Definitions

An "accredited" school is one that has received accreditation by the Western Association of Schools and Colleges (WASC) or other statewide or regional commissions or, in the case of a school outside California, by the equivalent governmental or other regional accrediting agency in that jurisdiction.

Transfers from Accredited Schools

Students transferring into the district from an accredited school shall receive full academic credit for previously completed courses when the sending district verifies that the student has satisfactorily completed those courses.

Transfers from Non-Accredited Schools

When a student transfers from any non-accredited private, public, alternative, home or charter school, academic credit shall be subject to approval by the principal or designee at the enrolling school. Credits transferred from these schools shall be fully accepted when there is evidence that the course work completed is equivalent to similar courses offered in this district.

The principal or designee at the enrolling school shall be responsible for determining which of the student's credits are equivalent to district requirements. Guidelines for determining equivalency shall be developed by representative certificated staff familiar with the district's academic standards and graduation requirements.

CSBA NOTE: Districts with elementary schools may wish to include the requirement that the entering student demonstrate grade level proficiency by taking the achievement tests offered by the district. The criteria below for evaluating prior high school course work may be adapted to apply to elementary or middle grade course work if desired.

CSBA NOTE: The following optional regulation should be modified to reflect district practice. Districts with elementary schools may wish to include the requirement that the entering student demonstrate grade level proficiency by taking the achievement tests offered by the district. The criteria below for evaluating prior high school coursework may be adapted to apply to elementary or middle grade coursework if desired.

Students in grades K through 8 who transfer into the district without proof of having met the grade level proficiency standards in reading, mathematics, and writing ~~must~~ may be required to take the appropriate standardized tests of these basic skills to facilitate proper placement.

CSBA NOTE: The following list includes suggestions for steps the district may use to determine whether credits for ~~course work~~ coursework previously completed by transferring students are equivalent to credit for courses offered at the enrolling school.

In determining equivalency, the principal and/or designated certificated staff representative may consider one or more of the following:

1. A review of the description of academic content and time requirements of the ~~course work~~ coursework completed by the student compared to academic content and time requirements at the enrolling school
2. An examination of the student's portfolio of work, papers, completed projects, graded tests or other documents demonstrating the student's level of skill and knowledge
3. An opportunity for the student to demonstrate skill ~~by his/her~~ via performance on appropriate course-challenging examinations, comprehensive final examinations and/or other culminating exercises used at the enrolling school
4. Verification by teacher observation, once the student has been placed in a course, that the student has reached a level of preparation consistent with ~~his/her~~ the student's placement in that course

Appeals/Due Process

CSBA NOTE: The It is recommended that districts wishing to revise the following optional section may be revised to reflect consult CSBA's District and County Office of Education Legal Services or district practice in ~~consultation with~~ legal counsel.

If a student's parent/guardian disagrees with the school site staff's judgment on grade-level placement, course placement and/or equivalency of academic credit, the parent/guardian may appeal to the Superintendent or designee.

Within 10 working days of notification of placement or credit determination, the parent/guardian may request, in writing, a conference with the Superintendent or designee to review the school site staff's decision.

The Superintendent or designee shall schedule a conference within 10 working days of the parent/guardian's request. This meeting may include the principal or designee, representatives of the school's certificated staff, and the student's parents/guardian. It shall be the parent/guardian's responsibility to present evidence that the facts do not support the school staff's decision on the student's placement and/or transferability of prior credits.

The Superintendent or designee's decision shall be final.

Transfer of Coursework and Credits for Highly Mobile Students

CSBA NOTE: The following section is for use by districts maintaining high schools. Education Code 51225.2 addresses the transferability of coursework and credits completed by a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, student who is migratory, or student participating in a newcomer program, as provided below.

Education Code 51225.2 requires the transferring school to include in the such student's educational record a determination of days of enrollment and/or seat time and an official transcript with full and partial credits and grades earned, or any measure of full or partial coursework being satisfactorily completed.

Highly mobile student means a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, student who is migratory, or a student participating in a newcomer program as specified in Education Code 51225.1.

When a highly mobile student transfers into a district school, the district will receive an official transcript from the transferring school or district which reflects full and partial credits and grades earned by the highly mobile student and includes: (Education Code 51225.2)

1. A determination of the days of enrollment and/or seat time, if applicable for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed

Partial coursework satisfactorily completed includes any portion of an individual course, even if the student did not complete the entire course

2. Separate listings for credits and grades earned at each school and local educational agency so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment

The district shall transfer the credits and grades from the transferring school's transcript onto an official district transcript in the same manner as described in Item #2, above. (Education Code 51225.2)

If the Principal or designee has knowledge that the transcript from the transferring school may not include certain credits or grades, the Principal or designee shall contact the prior school within two business days to request that the full or partial credits be issued, which shall then be issued and provided by the prior school within two business days of the request. (Education Code 51225.2)

CSBA NOTE: Pursuant to Education Code 51225.2, "public school," for purposes of coursework completed by a student who is a child of a military family, includes schools operated by the United States Department of Defense.