

NOTE: The CSBA comprehensive index is a standard index system designed to provide a table of contents for this manual while at the same time accommodating future policies/regulations. This manual contains only those Board policies (BP), administrative regulations (AR) and/or exhibits (E) specified in the right-hand column.

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**CONCEPTS AND ROLES**

The Board of Trustees desires to represent the community and provide leadership in addressing community issues related to career technical education. In order to identify community concerns and enlist support for the schools, the Board shall establish effective two-way communication systems between schools and the community.

Schools, parents/guardians, community members and local organizations must continually collaborate as partners. The Board and the Superintendent or his/her designee shall work together with city and county agencies and organizations to promote and facilitate coordinated services for students, and shall seek to develop partnerships with local businesses.

*(cf. 1020 - Youth Services)*

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

The Board recognizes that schools are an important community resource and encourages community members to make appropriate use of Coastline Regional Occupational Program (CROP) facilities. Community members are also encouraged to attend Board meetings, participate in school activities, and take an active interest in issues that affect the schools. The Board and Superintendent or his/her designee shall keep community members well informed about CROP needs and accomplishments and shall ensure that they have opportunities to share in developing educational policies, programs and evaluation processes.

*(cf. 0510 - School Accountability Report Card)*

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1240 - Volunteer Assistance)*

*(cf. 1330 - Use of School Facilities)*

*(cf. 6020 - Parent Involvement)*

*(cf. 6141 - Curriculum Development and Evaluation)*

*(cf. 9323 - Meeting Conduct)*

The Board recognizes that its ability to fulfill the community's expectations for a high-quality educational program depends on the level of support provided by the state and federal government as well as the community. The Board therefore shall study legislative processes and issues, establish ongoing relationships with state and local leaders and the media, adopt positions on key issues, set priorities for advocacy, and collaborate with other organizations and coalitions in legislative and legal advocacy efforts.

*(cf. 1112 - Media Relations)*

*(cf. 1160 - Political Processes)*

*(cf. 9000 - Role of the Board)*

*Legal Reference: (see next page)*

**CONCEPTS AND ROLES** (continued)

*Legal Reference:*

EDUCATION CODE

*35160 Authority of governing boards*

*35172 Promotional activities*

**COMMUNICATION WITH THE PUBLIC**

The Board of Trustees recognizes the Coastline Regional Occupational Program (CROP)'s responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the CROP and to be responsive to the concerns and interests of the community. The Superintendent or his/her designee shall establish strategies for effective two-way communications between the CROP and the public and shall consult with the Board regarding the role of Board members as advocates for the CROP's students, programs, and policies.

*(cf. 5020 - Parent Rights and Responsibilities)*  
*(cf. 9000 - Role of the Board)*

The Superintendent or his/her designee shall provide the Board and staff with communications protocols and procedures to assist the CROP in presenting a consistent, unified message on CROP issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the CROP, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

*(cf. 1112 - Media Relations)*  
*(cf. 1340 - Access to CROP Records)*  
*(cf. 2111 - Superintendent Governance Standards)*  
*(cf. 3580 - CROP Records)*  
*(cf. 5125 - Student Records)*  
*(cf. 5125.1 - Release of Directory Information)*  
*(cf. 9005 - Governance Standards)*  
*(cf. 9010 - Public Statements)*  
*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

The Superintendent or his/her designee shall utilize a variety of communications methods in order to provide the public with access to information. Such methods may include, but are not limited to, newsletters, web sites, social networking pages or other online communications technologies, direct email communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

*(cf. 0510 - School Accountability Report Card)*  
*(cf. 1020 - Youth Services)*  
*(cf. 1113 - CROP and School Web Sites)*  
*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*  
*(cf. 1700 - Relations Between Private Industry and the Schools)*

In developing communications strategies, the Superintendent or his/her designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

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

## **COMMUNICATION WITH THE PUBLIC** (continued)

The Superintendent or his/her designee shall ensure that staff members are responsive to requests by parents/guardians or members of the public for information or assistance and may provide staff with professional development in their "customer service" role as needed.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

Community members are encouraged to become involved in school activities, participate on CROP committees, provide input at Board meetings, submit suggestions to staff, and use the CROP's complaint procedures as appropriate.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1230 - School-Connected Organizations)*

*(cf. 1240 - Volunteer Assistance)*

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 1260 - Educational Foundation)*

*(cf. 1312.1 - Complaints Concerning CROP Employees)*

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*(cf. 3555 - Nutrition Program Compliance)*

*(cf. 6020 - Parent Involvement)*

*(cf. 9322 - Agenda/Meeting Materials)*

*(cf. 9323 - Meeting Conduct)*

### **Prohibition Against Mass Mailings at Public Expense**

No newsletter or other mass mailing, as defined in Government Code 82041.5 and 2 CCR 18901, shall be sent by the CROP at public expense if such material aggrandizes one or more Board members. The name, signature, or photograph of a Board member may be included in such materials only as permitted by 2 CCR 18901. (Government Code 82041.5, 89001; 2 CCR 18901)

Any newsletter or mass mailing regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

*(cf. 1160 - Political Processes)*

*Legal Reference: (see next page)*

**COMMUNICATION WITH THE PUBLIC** (continued)

*Legal Reference:*

EDUCATION CODE

7054 *Use of CROP property or funds re: ballot measures and candidates*

35145.5 *Board meetings, public participation*

35172 *Promotional activities*

38130-38138 *Civic Center Act*

48980-48985 *Parental notifications*

GOVERNMENT CODE

54957.5 *Meeting agendas and materials*

82041.5 *Mass mailing*

89001 *Newsletter or mass mailing*

CODE OF REGULATIONS, TITLE 2

18901 *Mass mailings sent at public expense*

18901.1 *Campaign-related mailings sent at public expense*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 *Americans with Disabilities Act*

*Management Resources:*

WEB SITES

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

California School Public Relations Association: <http://www.calspra.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

**MEDIA RELATIONS**

The Board of Trustees respects the public's right to information and recognizes that the media significantly influence the community's understanding of school programs. In order to develop and maintain positive media relations, the Board and the Superintendent desire to reasonably accommodate media requests for information and to provide accurate, reliable and timely information.

Media representatives are welcome at all Board meetings and shall receive meeting agendas upon request in accordance with Board policy.

*(cf. 9322 - Agenda/Meeting Materials)*

Media representatives, like all other visitors, shall register immediately upon entering any school building or grounds when school is in session.

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 3515.2 - Disruptions)*

Staff may provide the media with student directory information, including, but not limited to, the name of a student, school of attendance, grade level, honors, and activities, unless the student's parent/guardian has submitted a written request that such information not be disclosed. The CROP shall not release information that is private or confidential as required by law, Board policy or administrative regulation. No other access to student records or personally identifiable student information may be provided without written parent/guardian permission.

*(cf. 1340 - Access to CROP Records)*

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

*(cf. 9010 - Public Statements)*

*(cf. 9321.1 - Closed Session Actions and Reports)*

**Interviewing and Photographing Students**

Coastline Regional Occupational Program (CROP) shall not impose restraints on students' right to speak freely with media representatives at those times which do not disrupt a student's educational program. However, interviews of students may not create substantial disorder or impinge on the rights of others. Therefore, in order to minimize possible disruption, media representatives who wish to interview students at school are strongly encouraged to make prior arrangements with the Superintendent. At their discretion, parents/guardians may instruct their children not to communicate with media representatives.

*(cf. 5145.2 - Freedom of Speech/Expression)*

## **MEDIA RELATIONS** (continued)

In order to protect the privacy and safety of students, a media representative who wishes to photograph students on school grounds should first make arrangements with the Superintendent or his/her designee.

When interviewing or photographing a special education student, he/she shall not be identified as a special education student without prior, written parent/guardian permission.

### **Crisis Communications Plan**

During a disturbance or crisis situation, the first priority of school staff is to assure the safety of students and staff. However, the Board recognizes the need to provide timely and accurate information to parents/guardians and the community during a crisis. The Board also recognizes that the media have an important role to play in relaying this information to the public. In order to help ensure that the media and CROP work together effectively, the Superintendent or his/her designee shall develop a crisis communications plan to identify communication strategies to be taken in the event of a crisis.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

The crisis communications plan may include but not be limited to identification of a media center location, development of both internal and external notification systems, and strategies for press conference logistics.

The Superintendent or his/her designee shall include local law enforcement and media representatives in the crisis planning process.

#### *Legal Reference:*

##### EDUCATION CODE

32210-32212 *Willful disturbance of public school or meeting*

35144 *Special meetings*

35145 *Public meetings*

35160 *Authority of governing boards*

35172 *Promotional activities*

##### EVIDENCE CODE

1070 *Refusal to disclose news source*

##### PENAL CODE

627-627.10 *Access to school premises*

##### COURT DECISIONS

*Lopez v. Tulare Joint Union High School CROP, (1995) 34 Cal.App.4th 1302*

##### ATTORNEY GENERAL OPINIONS

95 *Ops. Cal. Atty. Gen. 509 (1996)*

*Management Resources: (see next page)*



**MEDIA RELATIONS** (continued)

*Management Resources:*

CSBA PUBLICATIONS

*911: A Manual for Schools and the Media During a Campus Crisis, 2001*

WEB SITES

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

**CROP AND SCHOOL WEB SITES**

To enhance communication with students, parents/guardians, staff, and community members, the Board of Trustees encourages the Superintendent or his/her designee to develop Coastline Regional Occupational Program (CROP) web sites. The use of CROP web sites shall support the CROP's vision and goals.

- (cf. 0000 - Vision)*
- (cf. 0440 - CROP Technology Plan)*
- (cf. 1100 - Communication with the Public)*
- (cf. 1112 - Media Relations)*
- (cf. 1114 - CROP-Sponsored Social Media)*
- (cf. 6020 - Parent Involvement)*

**Design Standards**

The Superintendent or his/her designee shall establish design standards for CROP and teacher web sites in order to maintain a consistent identity, professional appearance, and ease of use.

The design standards shall address the accessibility of CROP web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

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

**Guidelines for Content**

The Superintendent or his/her designee shall develop content guidelines for CROP and teacher web sites and shall assign staff to review and approve content prior to posting.

Board policy pertaining to advertising in CROP and school publications, as specified in BP 1325 - Advertising and Promotion, shall also apply to advertising on CROP and school web sites.

- (cf. 1325 - Advertising and Promotion)*

**Privacy Rights**

The Superintendent or his/her designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on CROP web sites.

- (cf. 1340 - Access to CROP Records)*
- (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*
- (cf. 5022 - Student and Family Privacy Rights)*
- (cf. 5125 - Student Records)*

**CROP AND SCHOOL WEB SITES** (continued)

Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on CROP web sites.

*(cf. 5125.1 - Release of Directory Information)*

Because of the wide accessibility of the Internet and potential risk to students, photographs of individual students shall not be published with their names or other personally identifiable information without the prior written consent of the student's parent/guardian.

Photographs of groups of students, such as at a school event, may be published provided that students' names are not included.

Staff members' home addresses or telephone numbers shall not be posted on CROP web sites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on CROP web sites without the prior written permission of that individual. (Government Code 3307.5, 6254.21, 6254.24)

No public safety official shall be required to consent to the posting on the Internet of his/her photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or his/her family. (Government Code 3307.5)

*(cf. 3515.3 - CROP Police/Security Department)*

*Legal Reference: (see next page)*

**CROP AND SCHOOL WEB SITES (continued)**

*Legal Reference:*

EDUCATION CODE

35182.5 *Contracts for advertising*  
35258 *Internet access to school accountability report cards*  
48907 *Exercise of free expression; rules and regulations*  
48950 *Speech and other communication*  
49061 *Definitions, directory information*  
49073 *Release of directory information*  
60048 *Commercial brand names, contracts or logos*

GOVERNMENT CODE

3307.5 *Publishing identity of public safety officers*  
6254.21 *Publishing addresses and telephone numbers of officials*  
6254.24 *Definition of public safety official*  
11135 *Nondiscrimination; accessibility to state web sites*

PENAL CODE

14029.5 *Prohibition against publishing personal information of person in witness protection program*

UNITED STATES CODE, TITLE 17

101-1101 *Federal copyright law*

UNITED STATES CODE, TITLE 20

1232g *Federal Family Educational Rights and Privacy Act*

UNITED STATES CODE, TITLE 29

794 *Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 *Children's Online Privacy*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 *Family Educational Rights and Privacy*

COURT DECISIONS

*Aaris v. Las Virgenes Unified School CROP, (1998) 64 Cal.App.4th 1112*

*Management Resources:*

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

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

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

*Web Content Accessibility Guidelines, December 2008*

WEB SITES

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

California Department of Education, *Web Accessibility Standards:*

<http://www.cde.ca.gov/re/di/ws/webaccessstds.asp>

California School Public Relations Association: <http://www.calspra.org>

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

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

**CROP AND SCHOOL WEB SITES**

**Guidelines for Content**

Coastline Regional Occupational Program (CROP) and school web sites shall provide current information regarding CROP/school programs, activities, and operations. Such information shall be appropriate for both internal and external audiences and may include CROP mission and goals, CROP news, agendas and minutes of Board of Trustees meetings, School Accountability Report Cards, school calendars, and links to educational resources.

*(cf. 0440 - CROP Technology Plan)*  
*(cf. 0510 - School Accountability Report Card)*  
*(cf. 1100 - Communication with the Public)*  
*(cf. 1112 - Media Relations)*  
*(cf. 6020 - Parent Involvement)*

With approval of the Superintendent, individual teachers may create web pages linked to the CROP or school web site to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on CROP web sites provided that both the student and his/her parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

The Superintendent or his/her designee shall ensure that copyright laws are not violated in the use of materials on CROP web sites. If any copyrighted material is posted, a notice shall be included crediting the original producer of the material and noting how and when permission to reprint the material was granted.

*(cf. 4132/4232/4332 - Publication or Creation of Materials)*  
*(cf. 6162.6 - Use of Copyrighted Materials)*

Whenever a CROP or school web site includes links to external web sites, it shall include a disclaimer that the CROP is not responsible for the content of external web sites.

**Roles and Responsibilities**

Any employee assigned as a CROP webmaster shall be responsible for the uploading of material to the web site(s) upon approval of the Superintendent or his/her designee. He/she shall ensure consistency of the material with CROP standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.

The Superintendent or his/her designee may assign additional staff members to conduct an editorial review of all materials submitted for publication on CROP web sites and to make corrections as needed in spelling, grammar, or accuracy of content.

**CROP AND SCHOOL WEB SITES** (continued)

The Superintendent or his/her designee shall provide staff development opportunities related to CROP content guidelines, design standards, and accessibility laws and standards to CROP communications and technology staff, CROP and school webmasters, and/or other appropriate staff.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

**Security**

The Superintendent or his/her designee shall establish security procedures for the CROP's computer network to prevent unauthorized access and changes to CROP web sites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

**CROP-SPONSORED SOCIAL MEDIA**

The Board of Trustees recognizes the value of technology such as social media platforms in promoting community involvement and collaboration. The purpose of any official Coastline Regional Occupational Program (CROP) social media platform shall be to further the CROP's vision and mission, support student learning and staff professional development, and enhance communication with students, parents/guardians, staff, and community members.

- (cf. 0000 - Vision)*
- (cf. 0440 - CROP Technology Plan)*
- (cf. 1100 - Communication with the Public)*
- (cf. 1112 - Media Relations)*
- (cf. 1113 - CROP and School Web Sites)*
- (cf. 6020 - Parent Involvement)*
- (cf. 6145.5 - Student Organizations and Equal Access)*

The Superintendent or his/her designee shall develop content guidelines and protocols for official CROP social media platforms to ensure the appropriate and responsible use of these resources and compliance with law, Board policy, and regulation.

**Guidelines for Content**

Official CROP social media platforms shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. By creating these official sites and allowing for public comment, the Board does not intend to create a limited public forum or otherwise guarantee an individual's right to free speech.

- (cf. 5145.2 - Freedom of Speech/Expression)*
- (cf. 6145.5 - Student Organizations and Equal Access)*

The Superintendent or his/her designee shall ensure that the limited purpose of the official CROP social media platforms is clearly communicated to users. Each site shall contain a statement that specifies the site's purposes along with a statement that users are expected to use the site only for those purposes. Each site shall also contain a statement that users are personally responsible for the content of their posts.

Official CROP social media platforms may not contain content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation.

- (cf. 5131 - Conduct)*

Staff or students who post prohibited content shall be subject to discipline in accordance with CROP policies and administrative regulations.

- (cf. 4040 - Employee Use of Technology)*
- (cf. 4118 - Suspension/Disciplinary Action)*

## **CROP-SPONSORED SOCIAL MEDIA** (continued)

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 6163.4 - Student Use of Technology)*

Users of official CROP social media platforms should be aware of the public nature and accessibility of social media and that information posted may be considered a public record subject to disclosure under the Public Records Act. The Board expects users to conduct themselves in a respectful, courteous, and professional manner.

*(cf. 1340 - Access to CROP Records)*  
*(cf. 9012 - Board Member Electronic Communications)*

### **Privacy**

The Superintendent or his/her designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on official CROP social media platforms.

Board policy pertaining to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, as specified in BP 1113 - CROP Web Sites, shall also apply to official CROP social media platforms.

*(cf. 5125.1 - Release of Directory Information)*

Social media and networking sites and other online platforms shall not be used by CROP employees to transmit confidential information about students, employees, or CROP operations.

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 5022 - Student and Family Privacy Rights)*  
*(cf. 5125 - Student Records)*

*Legal Reference: (see next page)*



**CROP-SPONSORED SOCIAL MEDIA (continued)**

*Legal Reference:*

EDUCATION CODE

32261 School safety, definitions of bullying and electronic act

35182.5 Contracts for advertising

48900 Grounds for suspension and expulsion

48907 Exercise of free expression; rules and regulations

48950 Speech and other communication

49061 Definitions, directory information

49073 Release of directory information

60048 Commercial brand names, contracts or logos

GOVERNMENT CODE

3307.5 Publishing identity of public safety officers

6250-6270 Public Records Act, especially:

6254.21 Publishing addresses and phone numbers of officials

6254.24 Definition of public safety official

54952.2 Brown Act, definition of meeting

UNITED STATES CODE, TITLE 17

101-1101 Federal copyright law

UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act

UNITED STATES CODE, TITLE 29

157 Employee rights to engage in concerted, protected activity

794 Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

COURT DECISIONS

Page v. Lexington County School CROP, (2008, 4th Cir.) 531 F.3d 275

Downs v. Los Angeles Unified School CROP, (2000) 228 F.3d 1003

Aaris v. Las Virgenes Unified School CROP, (1998) 64 Cal.App.4th 1112

Perry Education Association v. Perry Local Educators' Association, (1983) 460 U.S. 37

Board of Education, Island Trees Union Free School CROP, et.al. v. Pico, (1982) 457 U.S. 853

NATIONAL LABOR RELATIONS BOARD DECISIONS

18-CA-19081 Sears Holdings, December 4, 2009

*Management Resources:*

FACEBOOK PUBLICATIONS

Facebook for Educators Guide, 2011

WEB SITES

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

California School Public Relations Association: <http://www.calspra.org>

Facebook in Education: <http://www.facebook.com/education>

Facebook for Educators: <http://facebookforeducators.org>

Facebook, privacy resources: <http://www.facebook.com/fbprivacy>

**CROP-SPONSORED SOCIAL MEDIA**

**Definitions**

*Social media* means any online platform for collaboration, interaction, and active participation, including, but not limited to, social networking sites such as Facebook, Twitter, YouTube, LinkedIn, or blogs.

*Official CROP social media platform* is a site authorized by the Superintendent or his/her designee. Sites that have not been authorized by the Superintendent or his/her designee but that contain content related to the Coastline Regional Occupational Program (CROP) or comments on CROP operations, such as a site created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal site, are not considered official CROP social media platforms.

*(cf. 1230 - School-Connected Organizations)*

*(cf. 1260 - Educational Foundations)*

**Authorization for Official CROP Social Media Platforms**

The Superintendent or his/her designee shall authorize the development of any official CROP social media platform. Teachers and coaches shall obtain approval from the Superintendent before creating an official classroom or team social media platform.

**Guidelines for Content**

The Superintendent or his/her designee shall ensure that official CROP social media platforms provide current information regarding CROP programs, activities, and operations, consistent with the goals and purposes of this policy and regulation. Official CROP social media platforms shall contain content that is appropriate for all audiences.

*(cf. 0440 - CROP Technology Plan)*

*(cf. 0510 - School Accountability Report Card)*

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

*(cf. 1113 - CROP and School Web Sites)*

*(cf. 6020 - Parent Involvement)*

*(cf. 6145.5 - Student Organization and Equal Access)*

The Superintendent or his/her designee shall ensure that copyright laws are not violated in the use of material on official CROP social media platforms.

*(cf. 4132/4232/4332 - Publication or Creation of Materials)*

*(cf. 6162.6 - Use of Copyrighted Materials)*

The Superintendent or his/her designee shall ensure that official CROP social media platforms are regularly monitored. Staff members responsible for monitoring content may remove posts based on viewpoint-neutral considerations, such as lack of relation to the site's purpose or violation of the CROP's policy, regulation, or content guidelines.

**CROP-SPONSORED SOCIAL MEDIA** (continued)

Each official CROP social media platform shall prominently display:

1. The purpose of the site along with a statement that users are expected to use the site only for those intended purposes.
2. Information on how to use the security settings of the social media platform.
3. A statement that the site is regularly monitored and that any inappropriate post will be promptly removed. Inappropriate posts include those that:
  - a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation
  - b. Are not related to the stated purpose of the site, including, but not limited to, comments of a commercial nature, political activity, and comments that constitute discrimination or harassment

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

*(cf. 1160 - Political Processes)*

*(cf. 1325 - Advertising and Promotion)*

4. Protocols for users, including expectations that users will communicate in a respectful, courteous, and professional manner.
5. A statement that users are personally responsible for the content of their posts and that the CROP is not responsible for the content of external online platforms.
6. A disclaimer that the views and comments expressed on the site are those of the users and do not necessarily reflect the views of the CROP.
7. A disclaimer that any user's reference to a specific commercial product or service does not imply endorsement or recommendation of that product or service by the CROP.
8. The individual(s) to contact regarding violation of CROP guidelines on the use of official CROP social media platforms.

**Appropriate Use by CROP Employees**

CROP employees who participate in official CROP social media platforms shall adhere to all applicable CROP policies and procedures, including, but not limited to, professional standards related to interactions with students.

**CROP-SPONSORED SOCIAL MEDIA** (continued)

*(cf. 4040 - Employee Use of Technology)*  
*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

When appropriate, employees using official CROP social media platforms shall identify themselves by name and CROP title and include a disclaimer stating that the views and opinions expressed in their post are theirs alone and do not necessarily represent those of the CROP or school.

All staff shall receive information about appropriate use of the official CROP social media platforms.

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

**COMMENDATIONS AND AWARDS**

To encourage community involvement in Coastline Regional Occupation Program (CROP) programs and activities, the Board of Trustees may publicly recognize and commend parents/guardians, community members, businesses, and organizations that make outstanding contributions or provide longstanding service to the CROP or CROP students.

*(cf. 1000 - Concepts and Roles)*

*(cf. 1020 - Youth Services)*

*(cf. 1240 - Volunteer Assistance)*

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

*(cf. 3290 - Gifts, Grants and Bequests)*

Any Board member, employee, parent/guardian, student, or community member may recommend an individual or organization for Board recognition. He/she shall submit to the Superintendent or his/her designee the name of the individual or organization and a description of the outstanding contribution or service.

At the Board's discretion, the Board may present a letter of recognition, Board resolution, plaque, or other award at a public Board meeting or may hold a reception or informal recognition activity. The Board also may designate a day, week, or month for special recognition of volunteers.

*Legal Reference:*

EDUCATION CODE

*35160 Authority of governing boards*

*35160.1 Broad authority of school CROPs*

*44015 Awards to employees and students*

CALIFORNIA CONSTITUTION

*Article 16, Section 6 Gifts of public funds*

**POLITICAL PROCESSES**

The Board of Trustees has a responsibility to actively advocate fiscal and public policy that supports the Coastline Regional Occupational Program (CROP) schools and the children in the community. The Board shall be proactive in defining the CROP's advocacy agenda based on the ROP's vision and goals and the needs of the community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School CROP)*

*(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)*

*(cf. 9000 - Role of the Board)*

*(cf. 9010 - Public Statements)*

**Ballot Measures/Candidates**

No CROP funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the CROP's at an open and agendized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

*(cf. 9320 - Meetings and Notices)*

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal CROP procedures and consistent with regular practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

The Superintendent or his/her designee may use CROP resources to provide students, parents/guardians, and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the CROP. (Education Code 7054)

*(cf. 1100 - Communication with the Public)*

In preparing or distributing such informational material, the Superintendent or his/her designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

## **POLITICAL PROCESSES** (continued)

CROP resources, including email or computer systems, shall not be used to disseminate campaign literature. In addition, CROP resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

*(cf. 1325 - Advertising and Promotion)*

### **Legislation**

The Board's responsibility as an advocate for the CROP may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or his/her designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate CROP positions and concerns.

*(cf. 1020 - Youth Services)*

*(cf. 1112 - Media Relations)*

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

*(cf. 7131 - Relations with Local Agencies)*

The Board and Superintendent may develop an advocacy action plan to define expectations and responsibilities. This plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

In order to strengthen legislative advocacy efforts, the CROP may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5.

The CROP may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the CROP.

As necessary, the Board may direct the Superintendent or his/her designee to draft legislative or regulatory proposals which serve the CROP's interests.

### **Legal Advocacy**

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the CROP may join with other districts, ROPs, or parties in order to resolve the issue through litigation or other appropriate means.

## **POLITICAL PROCESSES** (continued)

(cf. 9124 - Attorney)

(cf. 9321 - Closed Session Purposes and Agendas)

### **Political Forums**

Forums on political issues may be held in CROP facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

(cf. 1330 - Use of School Facilities)

#### *Legal Reference:*

##### EDUCATION CODE

7050-7058 Political activities of school officers and employees, including:

7054 Use of CROP property

7054.1 Requested appearance

7056 Soliciting or receiving political funds

35160 Authority of governing boards

35172 Promotional activities

##### ELECTIONS CODE

9501 School CROP elections, arguments for or against a measure

##### GOVERNMENT CODE

8314 Unlawful use of state resources

53060.5 Attendance at legislative body; expenses

54953.5 Right to record proceedings

54953.6 Broadcasts of proceedings

81000-91015 Political Reform Act, including:

82031 Definition of independent expenditure

##### CODE OF REGULATIONS, TITLE 2

18600-18640 Lobbyists

18901.1 Campaign related mailings sent at public expense

##### COURT DECISIONS

Vargas v. City of Salinas, (2009) 46 Cal. 4th 1

Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments, (2008) 167 Cal.App.4th 1229

Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620

Choice-in-Education League et al v. Los Angeles Unified School CROP, (1993) 17 Cal.App.4th 415

League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529

Miller v. Miller, (1978) 87 Cal.App.3d 762

Stanson v. Mott, (1976) 17 Cal. 3d 206

##### ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 46 (2005)

73 Ops.Cal.Atty.Gen. 255 (1990)

*Management Resources: (see next page)*



**POLITICAL PROCESSES** (continued)

*Management Resources:*

CSBA PUBLICATIONS

Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011

Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010

WEB SITES

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

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute for Local Government: <http://www.ca-ilg.org>

**INDUSTRY ADVISORY COMMITTEES**

The Board of Trustees recognizes that industry advisory committees enable the Board to better understand the interests and concerns of the community.

The Coastline Regional Occupational Program (CROP) may establish industry advisory committees, to strengthen the effectiveness of CROP operations, or to enhance student learning. The purpose of any such committees shall be clearly defined and aligned to the CROP's vision, mission, and goals. The CROP may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time the CROP deems it necessary.

- (cf. 0000 - Vision)*
- (cf. 0200 - Goals for the School CROP)*
- (cf. 0420 - School Plans/Site Councils)*
- (cf. 0420.1 - School-Based Program Coordination)*
- (cf. 0430 - Comprehensive Local Plan for Special Education)*
- (cf. 2230 - Representative and Deliberative Groups)*
- (cf. 3280 - Sale or Lease of CROP-Owned Real Property)*
- (cf. 5030 - Student Wellness)*
- (cf. 6020 - Parent Involvement)*
- (cf. 6174 - Education for English Language Learners)*
- (cf. 6175 - Migrant Education Program)*
- (cf. 6178 - Career Technical Education)*
- (cf. 9130 - Board Committees)*

The Superintendent or his/her designee may establish industry advisory committees which shall report to him/her or his/her designee in accordance with law, Board policy, and administrative regulation.

Industry advisory committees shall serve in an advisory capacity; they may make recommendations, but their actions shall not be binding on the Board or Superintendent.

The Superintendent or his/her designee shall provide training and information, as necessary, to enable committee members to understand the goals of the committee and to fulfill their role as committee members.

Within budget allocations, the Superintendent or his/her designee may approve requests for committee travel and may reimburse committee members for expenses at the same rates and under the same conditions as those provided for CROP employees.

- (cf. 3350 - Travel Expenses)*

*Legal Reference: (see next page)*

## **CITIZEN ADVISORY COMMITTEES (continued)**

### *Legal Reference:*

#### EDUCATION CODE

8070 Career technical education advisory committee  
11503 Parent involvement program  
15278-15282 Citizens' oversight committee  
15359.3 School facilities improvement CROPs  
17387-17391 Advisory committees for use of excess school facilities  
35147 School site councils and advisory committees  
41505-41508 Pupil Retention Block Grant  
41570-41573 School and Library Improvement Block Grant  
44032 Travel expense payment  
52176 Advisory committees, limited-English proficient students program  
52852 Site council, school-based program coordination  
54425 Advisory committees, compensatory education  
54444.1-54444.2 Parent advisory councils, services to migrant children  
56190-56194 Community advisory committee, special education  
62002.5 Continuing parent advisory committees

#### REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

52012 School site council

#### GOVERNMENT CODE

810.2 Tort claims act, definition employee  
810.4 Tort claims act, definition employment  
815.2 Injuries by employees within scope of employment  
820.9 Members of local public boards not vicariously liable  
6250-6270 California Public Records Act  
54950-54963 Brown Act

#### UNITED STATES CODE, TITLE 42

1751 Note Local wellness policy

#### COURT DECISIONS

Frazer v. Dixon Unified School CROP, (1993) 18 Cal.App.4th 781

### *Management Resources:*

#### CSBA PUBLICATIONS

Maximizing School Board Leadership: Community Leadership, 1996

#### WEB SITES

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

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

**CITIZEN ADVISORY COMMITTEES**

**Cautionary Notice:** As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants CROPs flexibility in "Tier 3" categorical programs. The Coastline Regional Occupational Program has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the CROP may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or his/her designee.

**Committee Charge**

When committees are appointed, committee members shall receive written information including, but not limited to:

1. The committee members' names
2. The procedure to be used in the selection of the committee chairperson and other committee officers
3. The name(s) and contact information of staff member(s) assigned to support the work of the committee
4. The goals and specific charge(s) of the committee, including its topic(s) for study
5. The specific period of time that the committee is expected to serve
6. Legal requirements regarding meeting conduct and public notifications
7. Resources available to help the committee perform its tasks
8. Timelines for progress reports and/or final report
9. Relevant Board policies and administrative regulations

Members of advisory committees are not vicariously liable for injuries caused by the act or omission of the Coastline Regional Occupational Program (CROP) or a committee and are not liable for injuries caused by an act or omission of a committee member acting within the scope of his/her role as a member of the committee. However, a member may be liable for injury caused by his/her own wrongful conduct. (Government Code 815.2, 820.9)

*(cf. 3530 - Risk Management/Insurance)*

**Committees Subject to Brown Act Requirements**

The following committees shall comply with Brown Act requirements pertaining to open meetings, notices, and public participation, pursuant to Government Code 54950-54963:

**CITIZEN ADVISORY COMMITTEES (continued)**

1. Advisory committees established pursuant to Education Code 56190-56194 related to special education

*(cf. 0430 - Comprehensive Local Plan for Special Education)*

2. Advisory committees established pursuant to Education Code 8070 related to career technical education

*(cf. 6178 - Career Technical Education)*

3. Committees established to assist in development of a student wellness policy pursuant to 42 USC 1751 Note

*(cf. 5030 - Student Wellness)*

4. Committees established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property

*(cf. 3280 - Sale or Lease of CROP-Owned Real Property)*

5. Citizens' oversight committees established to examine the expenditure of general obligation bond or schools facilities improvement bond revenues passed with a 55 percent majority of the voters pursuant to Education Code 15278 and 15359.3

*(cf. 7213 - School Facilities Improvement CROPs)*

*(cf. 7214 - General Obligation Bonds)*

6. Other committees created by formal Board of Trustees action

*(cf. 9130 - Board Committees)*

*(cf. 9320 - Meetings and Notices)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

*(cf. 9321.1 - Closed Session Actions and Reports)*

*(cf. 9323 - Meeting Conduct)*

**Committees Not Subject to Brown Act Requirements**

The following committees are exempt from the Brown Act but must conform with procedural meeting requirements established in Education Code 35147:

1. School site councils established pursuant to Education Code 41507, 41572, or 52852 related to student retention, school or library improvement, or school-based program coordination

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 0420.1 - School-Based Program Coordination)*

**CITIZEN ADVISORY COMMITTEES** (continued)

2. CROP or school advisory committees established pursuant to Education Code 52176 related to programs for students of limited English proficiency

*(cf. 6174 - Education for English Language Learners)*

3. School advisory committees established pursuant to Education Code 54425(b) related to compensatory education

*(cf. 6171 - Title I Programs)*

4. Any CROP advisory committee established pursuant to Education Code 54444.2 related to migrant education programs

*(cf. 6175 - Migrant Education Program)*

5. School site councils established pursuant to Education Code 62002.5 related to economic impact aid and bilingual education

6. School committees established pursuant to Education Code 11503 related to parent involvement

*(cf. 6020 - Parent Involvement)*

Meetings of the above councils or committees shall be open to the public. Any member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time, and location of the meeting and containing an agenda that describes each item of business to be discussed or acted upon. (Education Code 35147)

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the council's or committee's attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee, or public may ask questions or make brief statements that do not have a significant effect on CROP students or employees or that can be resolved solely by providing information. (Education Code 35147)

Councils or committees violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item. (Education Code 35147)

Any materials provided to a school site council shall be made available to any member of the public upon request pursuant to the California Public Records Act. (Education Code 35147; Government Code 6250-6270)

*(cf. 1340 - Access to CROP Records)*

**CITIZEN ADVISORY COMMITTEES** (continued)

Committees created by the Superintendent or his/her designee to advise the administration and which do not report to the Board are not subject to the requirements of the Brown Act or Education Code 35147.

*(cf. 2230 - Representative and Deliberative Groups)*

**SCHOOL-CONNECTED ORGANIZATIONS**

Persons proposing to establish a school-connected organization shall submit a request to the Board of Trustees for authorization to operate at the school. The request for authorization shall contain:

1. The name and purpose of the organization
2. The date of application
3. Bylaws, rules, and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any, and an agreement that the group will not engage in unlawful discrimination
4. The names, addresses, and phone numbers of all officers
5. A list of specific objectives
6. An agreement to grant the CROP the right to audit the group's financial records at any time, either by CROP personnel or a certified public accountant
7. The name of the bank where the organization's account will be located and the names of those authorized to withdraw funds
8. The signature of the Superintendent of the supporting school
9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future
10. An agreement to provide evidence of liability insurance as required by law

*(cf. 1330 - Use of School Facilities)*

Requests for subsequent authorization shall be presented to the Superintendent or his/her designee annually, along with a financial statement showing all income and expenditures from fund-raisers. If the Superintendent or his/her designee proposes to deny the request for reauthorization, he/she shall present his recommendation to the Board for approval.

Upon consent of the Superintendent or his/her designee, school-connected organizations may use the school's name, school team's name, or any logo attributable to the school or CROP.

School-connected organizations are prohibited from hiring or directly paying CROP employees. Organizations may make donations to the CROP to cover the costs of additional



**SCHOOL-CONNECTED ORGANIZATIONS** (continued)

employees, but only if such positions are approved in advance by the Board. At their discretion, employees may volunteer to perform activities for school-connected organizations during non-working hours.

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

*Legal Reference:*

EDUCATION CODE

200-262.4 *Prohibition of discrimination on the basis of sex*  
35160 *Authority of governing boards*  
38130-38138 *Civic Center Act, use of school property for public purposes*  
48931 *Authorization for sale of food by student organization*  
48932 *Authorization for fund-raising activities by student organization*  
49431 *Sale of food to elementary students during the school day*  
49431.2 *Sale of food to middle, junior, or high school students*  
49431.5 *Sale of beverages at elementary, middle, or junior high schools*  
51520 *Prohibited solicitation on school premises*  
51521 *Fund-raising project*

BUSINESS AND PROFESSIONS CODE

17510-17510.95 *Solicitations for charitable purposes*  
25608 *Alcohol on school property; use in connection with instruction*

GOVERNMENT CODE

12580-12599.7 *Fundraisers for Charitable Purposes Act*

PENAL CODE

319-329 *Lottery, raffle*

CODE OF REGULATIONS, TITLE 5

4900-4965 *Nondiscrimination in elementary and secondary education programs*  
15500 *Food sales in elementary schools*  
15501 *Food sales in high schools and junior high schools*

CODE OF REGULATIONS, TITLE 11

300-312.1 *Fundraising for charitable purposes*

UNITED STATES CODE, TITLE 20

1681-1688 *Discrimination based on sex or blindness, Title IX*

COURT DECISIONS

*Serrano v. Priest, (1976) 18 Cal. 3d 728*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

1101.89 *School CROP Liability and "Hold Harmless" Agreements, LO: 4-89*

WEB SITES

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

California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>

California State PTA: <http://www.capta.org>

**VOLUNTEER ASSISTANCE**

The Board of Trustees recognizes that volunteer assistance in schools can enrich the educational program, increase supervision of students, and contribute to school safety while strengthening the schools' relationships with the community. The Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

*(cf. 1000 - Concepts and Roles)*  
*(cf. 1700 - Relations Between Private Industry and the Schools)*  
*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*  
*(cf. 4222 - Teacher Aides/Paraprofessionals)*  
*(cf. 5020 - Parent Rights and Responsibilities)*  
*(cf. 5148 - Child Care and Development)*  
*(cf. 5148.2 - Before/After School Programs)*  
*(cf. 6020 - Parent Involvement)*  
*(cf. 6171 - Title I Programs)*

The Superintendent or his/her designee may develop and implement a plan for recruiting, screening, and placing volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. He/she may also recruit community members to serve as mentors to students and/or make appropriate referrals to community organizations.

*(cf. 1020 - Youth Services)*  
*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

As appropriate, the Superintendent or his/her designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities. Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational program.

Volunteer maintenance work shall be limited to those projects that do not replace the normal maintenance duties of classified staff. The Board nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school and do not significantly increase maintenance workloads.

Volunteer aides shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off. (Education Code 35021)

Volunteers shall act in accordance with Coastline Regional Occupational Program (CROP) policies, regulations, and school rules. The Superintendent or his/her designee shall be responsible for investigating and resolving complaints regarding volunteers.

*(cf. 0410 - Nondiscrimination in CROP Programs and Activities)*  
*(cf. 3515.2 - Disruptions)*

**VOLUNTEER ASSISTANCE** (continued)

The Board encourages CROP to develop a means for recognizing the contributions of each school's volunteers.

*(cf. 1150 - Commendations and Awards)*

The Superintendent or his/her designee shall periodically report to the Board regarding the CROP's volunteer assistance program.

**Qualifications**

The Superintendent or his/her designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative regulation for the types of duties they will perform.

Prior to assuming a volunteer position to work with students in a CROP-sponsored student activity program, a volunteer shall possess an Activity Supervisor Clearance Certificate issued by the Commission on Teacher Credentialing. (Education Code 49024)

A volunteer who obtained both a Department of Justice and Federal Bureau of Investigation criminal background clearance through the CROP prior to July 9, 2010 shall have satisfied this requirement. (Education Code 49024)

*Legal Reference: (see next page)*

## **VOLUNTEER ASSISTANCE (continued)**

### *Legal Reference:*

#### EDUCATION CODE

8482-8484.6 *After School Education and Safety program*  
8484.7-8484.9 *21st Century Community Learning Center program*  
35021 *Volunteer aides*  
35021.1 *Automated records check*  
35021.3 *Registry of volunteers for before/after school programs*  
44010 *Sex offense; definition*  
44227.5 *Classroom participation by college methodology faculty*  
44814-44815 *Supervision of students during lunch and other nutrition periods*  
45125 *Fingerprinting requirements*  
45125.01 *Interagency agreements for criminal record information*  
45340-45349 *Instructional aides*  
45360-45367 *Teacher aides*  
49024 *Activity Supervisor Clearance Certificate*  
49406 *Examination for tuberculosis*

#### GOVERNMENT CODE

3543.5 *Prohibited interference with employees' rights*

#### HEALTH AND SAFETY CODE

1596.871 *Fingerprints of individuals in contact with child day care facility clients*

#### LABOR CODE

1720.4 *Public works; exclusion of volunteers from prevailing wage law*  
3364.5 *Persons performing voluntary services for school CROPs*

#### PENAL CODE

290 *Registration of sex offenders*  
290.4 *Information re: sex offenders*  
290.95 *Disclosure by person required to register as sex offender*

#### CODE OF REGULATIONS, TITLE 22

101170 *Criminal record clearance*  
101216 *Health screening, volunteers in child care centers*

#### UNITED STATES CODE, TITLE 20

6319 *Qualifications and duties of paraprofessionals, Title I programs*

#### ATTORNEY GENERAL OPINIONS

62 *Ops. Cal. Atty. Gen. 325 (1979)*

#### COURT DECISIONS

*Whisman Elementary School CROP, (1991) PERB Decision No. 868*

### *Management Resources:*

#### COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

10-11 *Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010*

#### WEB SITES

CSBA: <http://www.csba.org>  
California Department of Education, Parents/Family and Community: <http://www.cde.ca.gov/ls/pf>  
California Department of Justice, Megan's Law: <http://www.meganslaw.ca.gov>  
California Parent Teacher Association: <http://www.capta.org>  
Commission on Teacher Credentialing: <http://www.ctc.ca.gov>  
National Coalition for Parent Involvement in Education: <http://www.ncpie.org>  
National Parent Teacher Association: <http://www.pta.org>

**VOLUNTEER ASSISTANCE**

**Duties of Volunteers**

Volunteers may assist certificated personnel in the performance of their duties, in the supervision of students, and in instructional tasks which, in the judgment of the certificated personnel to which the volunteer is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. (Education Code 45343, 45344, 45349)

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.2 - Before/After School Programs)*

Volunteers may supervise students during lunch, breakfast, or other nutritional periods or may serve as nonteaching aides under the immediate supervision and direction of certificated personnel to perform noninstructional work which assists certificated personnel in the performance of teaching and administrative responsibilities. (Education Code 35021, 44814, 44815)

Volunteers may work on short-term facilities projects pursuant to Board policy and the section below entitled "Volunteer Facilities Projects."

**Qualifications**

Volunteers providing supervision or instruction of students pursuant to Education Code 45349 shall give evidence of basic skills proficiency. (Education Code 45344.5, 45349)

*(cf. 4212 - Appointment and Conditions of Employment)*

Any volunteer working with students in a CROP-sponsored student activity program shall obtain an Activity Supervisor Clearance Certificate or criminal background check in accordance with Board policy. The Superintendent or his/her designee shall determine which volunteer positions in the CROP are subject to this requirement.

*(cf. 4212.5 - Criminal Background Check)*

"Student activity programs" include, but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by the CROP or a school booster club, such as cheer team, drill team, dance team, and marching band. This requirement shall not apply to volunteer supervisors for breakfast, lunch, or other nutritional periods or to volunteer nonteaching aides under the immediate supervision and direction of certificated personnel pursuant to Education Code 35021, including parents/guardians volunteering in a classroom or on a field trip or community members providing noninstructional services. (Education Code 49024)

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

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

**VOLUNTEER ASSISTANCE** (continued)

The Superintendent or his/her designee shall not assign any person required to register as a sex offender pursuant to Penal Code 290 as a volunteer who assists certificated personnel in the performance of their duties; supervises students during lunch, breakfast, or other nutritional period; or serves as a nonteaching aide to perform noninstructional tasks. In addition, a person who is required to register as a sex offender because of a conviction for a crime where the victim was a minor under age 16 shall not serve as a volunteer in any capacity in which he/she would be working directly and in an unaccompanied setting with minors on more than an incidental and occasional basis or have supervision or disciplinary power over minors. (Education Code 35021, 45349; Penal Code 290.95)

*(cf. 3515.5 - Sex Offender Notification)*

The Superintendent or his/her designee may require all volunteers to disclose their status as a registered sex offender and/or provide the CROP with sufficient information in order to allow verification of this status on the Department of Justice's Megan's Law web site.

No volunteer shall be assigned to supervise or instruct students unless he/she has submitted evidence of an examination within the past 60 days to determine that he/she is free of active tuberculosis. Volunteers who test negative shall thereafter be required to take a tuberculosis test every four years in accordance with Education Code 49406. (Education Code 45106, 45347, 45349, 49406)

*(cf. 4112.4/4212.4/4312.4 - Health Examinations)*

The Superintendent or his/her designee may exempt from tuberculosis testing requirements those volunteers who serve less than a school year and whose functions do not require frequent or prolonged contact with students. (Education Code 49406)

**Volunteer Facilities Projects**

All volunteer facilities projects shall have approximate start and completion dates and shall be approved by the Superintendent in advance. Projects also shall be approved in advance by the Superintendent or his/her designee if they involve the following types of work:

1. Alterations, additions, or repairs to buildings and grounds
2. Construction involving wall or roof penetration, drilling, or nailing
3. Structural modifications
4. Electrical, electronic, plumbing, or heating and cooling work

**VOLUNTEER ASSISTANCE** (continued)

5. Painting
6. Installation of carpet, playground equipment, benches, sprinkler systems, marquees or signs
7. Paving
8. Tree planting, pruning, or removal

The Superintendent or his/her designee shall ensure that volunteers possess the appropriate license and/or have sufficient expertise appropriate to the project. He/she shall also ensure that such projects comply with building and safety codes and other applicable laws and collective bargaining agreements. The CROP shall provide on-site assistance and supervision for such projects as necessary. Projects shall be inspected upon completion to ensure that the work was done satisfactorily.

*(cf. 3514 - Environmental Safety)*

*(cf. 3514.1 - Hazardous Substances)*

*(cf. 7140 - Architectural and Engineering Services)*

**VISITORS/OUTSIDERS**

The Board of Trustees believes that it is important for parents/guardians and community members to take an active interest in the issues affecting Coastline Regional Occupational Program (CROP) schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

*(cf. 1240 - Volunteer Assistance)*  
*(cf. 5020 - Parent Rights and Responsibilities)*  
*(cf. 6020 - Parent Involvement)*

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or his/her designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the ROP Superintendent, his/her designee or program administrator. When a visit involves a conference with a teacher or the Superintendent, an appointment should be scheduled during noninstructional time.

*(cf. 6116 - Classroom Interruptions)*

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

*(cf. 1112 - Media Relations)*

The Superintendent or his/her designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and Superintendent's permission. (Education Code 51512)

The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the CROP's complaint processes if they have concerns with any CROP program or employee. In accordance with Penal Code 626.7, the Superintendent or his/her designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

*(cf. 1312.1 - Complaints Concerning CROP Employees)*  
*(cf. 1312.2 - Complaints Concerning Instructional Materials)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 1312.4 - Williams Uniform Complaint Procedures)*  
*(cf. 3515.2 - Disruptions)*



## **VISITORS/OUTSIDERS (continued)**

### **Presence of Sex Offender on Campus**

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a CROP student, shall request written permission from the Superintendent before entering the school campus or grounds. As necessary, the Superintendent shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity.

#### *Legal Reference:*

##### EDUCATION CODE

32210 *Willful disturbance of public school or meeting*

32211 *Threatened disruption or interference with classes; misdemeanor*

32212 *Classroom interruptions*

35160 *Authority of governing boards*

35292 *Visits to schools (board members)*

49091.10 *Parental right to inspect instructional materials and observe school activities*

51101 *Parent Rights Act of 2002*

51512 *Prohibited use of electronic listening or recording device*

##### EVIDENCE CODE

1070 *Refusal to disclose news source*

##### LABOR CODE

230.8 *Discharge or discrimination for taking time off to participate in child's educational activities*

##### PENAL CODE

290 *Sex offenders*

626-626.10 *Schools*

626.81 *Misdemeanor for registered sex offender to come onto school grounds*

627-627.10 *Access to school premises, especially:*

627.1 *Definitions*

627.2 *Necessity of registration by outsider*

627.7 *Misdemeanors; punishment*

##### COURT DECISIONS

*Reeves v. Rocklin Unified School CROP, (2003) 109 Cal.App.4th 652*

##### ATTORNEY GENERAL OPINIONS

95 *Ops.Cal.Atty.Gen. 509 (1996)*

**VISITORS/OUTSIDERS**

The Superintendent or his/her designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)

Unless otherwise directed by the Program Administrator, a staff member shall accompany visitors/outsideers while they are on school grounds.

**Outsider Registration**

Outsiders shall register upon entering school premises during school hours. Any person other than the following is considered an outsider: (Evidence Code 1070; Penal Code 627.1, 627.2)

1. A student of the school, unless currently under suspension
2. A parent/guardian of a student of the school
3. A Board of Trustees member or Coastline Regional Occupation Program (CROP) employee
4. A public employee whose employment requires being on school grounds, or any person who is on school grounds at the school's request
5. A representative of a school employee organization who is engaged in activities related to the representation of school employees
6. An elected public official
7. A publisher, editor, reporter, or other person connected with or employed by a newspaper, magazine, other periodical publication, press association or wire service, radio station, or television station

*(cf. 1112 - Media Relations)*

**Registration Procedure**

In order to register, an outsider shall, upon request, furnish the Program Administrator with the following information: (Penal Code 627.3)

1. His/her name, address, and occupation
2. His/her age, if less than 21

**VISITORS/OUTSIDERS** (continued)

3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

**Program Administrator's Registration Authority**

The Program Administrator may refuse to register any outsider if he/she reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The Program Administrator or school security officer may revoke any outsider's registration if he/she has a reasonable basis for concluding that the individual's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)

*(cf. 3515.2 - Disruptions)*  
*(cf. 3515.3 - CROP Police/Security Department)*

When an outsider fails to register, or when the Program Administrator denies or revokes an outsider's registration privileges, the Program Administrator may request that the individual promptly leave school grounds. When an outsider is directed to leave, the Program Administrator shall inform him/her that if he/she reenters the school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

**Appeal Procedure**

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent shall be held within seven days after receipt of the request. (Penal Code 627.5)

*(cf. 1312.1 - Complaints Concerning CROP Employees)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*

## EDUCATIONAL FOUNDATION

The Board of Trustees recognizes the importance of community support of Coastline Regional Occupational Program (CROP) programs, including voluntary financial contributions, to assist the CROP in achieving its goals for student learning.

*(cf. 0200 - Goals for the School CROP)*  
*(cf. 1230 - School-Connected Organizations)*  
*(cf. 5030 - Student Wellness)*  
*(cf. 6020 - Parent Involvement)*  
*(cf. 6145 - Extracurricular and Cocurricular Activities)*  
*(cf. 6145.2 - Athletic Competition)*

The Board desires to work cooperatively with an educational foundation if one is established in determining the purposes for which funds may be used to meet the changing needs of the CROP and its students. The Board recognizes that an educational foundation is a separate legal entity, independent of the CROP. However, the foundation is encouraged to provide regular reports to the Board on the status of its work and to communicate ways that the CROP can help support the foundation's activities.

*(cf. 3290 - Gifts, Grants and Bequests)*  
*(cf. 9140 - Board Representatives)*

With the consent of the Superintendent or his/her designee, the educational foundation, as appropriate, may use the CROP's name, a school's name, a school team's name, or any logo attributable to a school or the CROP.

### *Legal Reference:*

#### EDUCATION CODE

38130-38138 *Civic Center Act, use of school property for public purposes*

#### BUSINESS AND PROFESSIONS CODE

12580-12599.7 *Fundraisers for Charitable Purposes Act*

17510-17510.95 *Solicitations for charitable purposes*

25608 *Alcohol on school property; use in connection with instruction*

#### PENAL CODE

319-329 *Lottery, raffle*

#### CODE OF REGULATIONS, TITLE 11

300-312.1 *Fundraising for charitable purposes*

#### COURT DECISIONS

*Serrano v. Priest, (1976) 18 Cal. 3d 728*

### *Management Resources:*

#### WEB SITES

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

California Consortium of Education Foundations: <http://www.cceflink.org>

California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>

**COMPLAINTS CONCERNING CROP EMPLOYEES**

The Board of Trustees accepts responsibility for providing a means by which the public can hold employees accountable for their actions. The Board desires that complaints be resolved expeditiously without disrupting the educational process.

The Superintendent or his/her designee shall develop regulations which permit the public to submit complaints against Coastline Regional Occupational Program (CROP) employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 3515.2 - Disruptions)*

The Board prohibits retaliation against complainants. The Superintendent or his/her designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The CROP will not investigate anonymous complaints unless it so desires.

*Legal Reference:*

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

35146 Closed sessions

44031 Personnel file contents and inspection

44811 Disruption of public school activities

44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)

48987 Child abuse guidelines

GOVERNMENT CODE

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

PENAL CODE

273 Cruelty or unjustifiable punishment of child

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction of juvenile court

*Management Resources:*

CDE LEGAL ADVISORIES

0910.93 Guidelines for parents to report suspected child abuse by school CROP employees or other persons against a pupil at school site (LO:4-93)

**COMPLAINTS CONCERNING CROP EMPLOYEES**

The Superintendent or his/her designee shall determine whether a complaint should be considered a complaint against the Coastline Regional Occupational Program (CROP) and/or an individual employee, and whether it should be resolved by the CROP's process for complaints concerning personnel and/or other Superintendent or his/her designee procedures.

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4144/4244/4344 - Complaints)*

To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against CROP employees:

1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.
2. If a complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may submit an oral or written complaint to the employee's immediate supervisor or the Program Administrator.
3. All complaints related to CROP personnel other than administrators shall be submitted in writing to the Program Administrator or immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to a Program Administrator or central office administrator shall be initially filed in writing with the Program Administrator. Complaints related to the Superintendent shall be initially filed in writing with the Board.
4. When a written complaint is received, the employee shall be notified within five days or in accordance with collective bargaining agreements.
5. A written complaint shall include:
  - a. The full name of each employee involved
  - b. A brief but specific summary of the complaint and the facts surrounding it
  - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter
6. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days.
7. Both the complainant and the employee against whom the complaint was made may appeal a decision by the Superintendent or immediate supervisor to the Superintendent or designee, who shall attempt to resolve the complaint to the

**COMPLAINTS CONCERNING CROP EMPLOYEES** (continued)

- satisfaction of the person involved within 30 days. Parties should consider and accept the Superintendent or his/her designee's decision as final. However, the complainant, the employee, or the Superintendent or his/her designee may ask to address the Board regarding the complaint.
8. Before any Board consideration of a complaint, the Superintendent or his/her designee shall submit to the Board a written report concerning the complaint, including but not limited to:
    - a. The full name of each employee involved
    - b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a response
    - c. A copy of the signed original complaint
    - d. A summary of the action taken by the Superintendent or his/her designee, together with his/her specific finding that the problem has not been resolved and the reasons
  9. The Board may uphold the Superintendent's decision without hearing the complaint.
  10. All parties to a complaint may be asked to attend a Board meeting in order to clarify the issue and present all available evidence.
  11. A closed session may be held to hear the complaint in accordance with law.  
*(cf. 9321 - Closed Session Purposes and Agendas)*  
*(cf. 9323 - Meeting Conduct)*
  12. The decision of the Board shall be final.

Any complaint of child abuse or neglect alleged against a CROP employee shall be reported to the appropriate local agencies in accordance with law, Board policy and administrative regulation.

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

**COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS**

**Step 1: Informal Complaint**

If a staff member, Coastline Regional Occupational Program (CROP) resident, or parent/guardian of a student enrolled in a CROP school has a complaint regarding the content or use of any specific instructional material, he/she shall informally discuss the material in question with the Superintendent.

**Step 2: Formal Complaint**

If the complainant is not satisfied with the Superintendent's initial response, he/she shall present a written complaint to the Superintendent. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection shall be given. Complainants shall sign all complaints and provide identifying information so that the CROP is able to make a proper reply. Anonymous complaints will not be accepted.

Upon receiving a complaint, the Superintendent shall acknowledge its receipt and answer any questions regarding procedure. The Superintendent then shall notify the Superintendent or his/her designee and the teacher(s) involved of the complaint.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached. However, upon request of the parent/guardian who has filed the complaint, his/her child may be excused from using challenged materials until a resolution has been reached. The teacher shall assign the student an alternate material of equal merit.

**Step 3: Superintendent Determination**

The Superintendent or his/her designee shall determine whether a review committee should be convened to review the complaint.

If the Superintendent or his/her designee determines that a review committee is not necessary, he/she shall issue a decision regarding the complaint.

**Step 4: Review Committee**

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



## **COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS** (continued)

The review committee shall review the criteria specified in Board policy and shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

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

### **Step 5: Appeal to the Board of Trustees**

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

*(cf. 9322 - Agenda/Meeting Materials)*

#### *Legal Reference:*

##### EDUCATION CODE

- 18111 Exclusion of books by governing board*
- 35010 Control of CROP; prescription and enforcement of rules*
- 35186 Williams Uniform Complaint Procedures*
- 44805 Enforcement of course of studies; use of textbooks, rules and regulations*
- 51501 Subject matter reflecting on race, color, etc.*
- 60000-60005 Instructional materials, legislative intent*
- 60040-60048 Instructional requirements and materials*
- 60119 Public hearing on sufficiency of materials*
- 60200-60206 Elementary school materials*
- 60226 Requirements for publishers and manufacturers*
- 60400-60411 High school textbooks*
- 60510-60511 Donation of sale of obsolete instructional materials*

#### *Management Resources:*

##### CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

*1002.90 Selection of Instructional Materials, CIL: 90/91-02*

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001*

##### WEB SITES

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

*California Department of Education, Curriculum and Instruction: <http://www.cde.ca.gov/ci>*

**UNIFORM COMPLAINT PROCEDURES**

The Board of Trustees recognizes the Coastline Regional Occupational Program (CROP) responsibility to comply with applicable state and federal laws and regulations governing educational programs. The CROP shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with CROP's uniform complaint procedures.

The CROP shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in CROP programs and activities based on actual race or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55 or Government Code 11135, or based on association with any person or group with one or more of these actual or perceived characteristics.

*(cf. 0410 - Nondiscrimination in CROP Programs and Activities)*  
*(cf. 0430 - Nondiscrimination in Employment)*  
*(cf. 4031 - Complaints Concerning Discrimination in Employment)*  
*(cf. 5131.2 – Bullying)*  
*(cf. 5145.3 – Nondiscrimination/Harassment)*  
*(cf. 5145.7 – Sexual Harassment)*

Uniform complaint procedures shall also be used to address any complaint alleging CROP's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in education activities, the requirements for the development and adoption of a school safety plan, and/or federal laws in adult education programs, career technical and technical education and training programs, child care and development programs and special education programs.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 1312.1 - Complaints Concerning CROP Employees)*  
*(cf. 1312.2 - Complaints Concerning Instructional Materials)*  
*(cf. 3260 – Fees and Charges)*  
*(cf. 3320 – Claims and Actions Against the CROP)*  
*(cf. 5141.4 - Child Abuse Prevention and Reporting)*  
*(cf. 5148 - Child Care and Development)*  
*(cf. 6159 - Individualized Education Program)*  
*(cf. 6171 - Title I Programs)*  
*(cf. 6174 - Education for English Language Learners)*  
*(cf. 6175 - Migrant Education Program)*  
*(cf. 6178 - Career Technical Education)*  
*(cf. 6178.1 - Work-Based Learning)*  
*(cf. 6178.2 - Regional Occupational Center/Program)*  
*(cf. 6200 – Adult Education)*

The Board prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.

**UNIFORM COMPLAINT PROCEDURES** (continued)

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or his/her designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5125 - Student Records)*

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

The CROP's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff
3. Teacher vacancies and misassignments

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*(cf. 6162.52 - High School Exit Examination)*

*(cf. 6179 - Supplemental Instruction)*

*Legal Reference: (see next page)*

**UNIFORM COMPLAINT PROCEDURES (continued)**

*Legal Reference:*

EDUCATION CODE

200-262.4 *Prohibition of discrimination*  
8200-8498 *Child care and development programs*  
8500-8538 *Adult basic education*  
18100-18203 *School libraries*  
32289 *School safety plan, uniform complaint procedures*  
35186 *Williams uniform complaint procedures*  
37254 *Intensive instruction and services for students who have not passed exit exam*  
41500-41513 *Categorical education block grants*  
48985 *Notices in language other than English*  
49060-49079 *Student records*  
49490-49590 *Child nutrition programs*  
52160-52178 *Bilingual education programs*  
52300-52490 *Career technical education*  
52500-52616.24 *Adult schools*  
52800-52870 *School-based program coordination*  
54000-54028 *Economic impact aid programs*  
54100-54145 *Miller-Unruh Basic Reading Act*  
54400-54425 *Compensatory education programs*  
54440-54445 *Migrant education*  
54460-54529 *Compensatory education programs*  
56000-56867 *Special education programs*  
59000-59300 *Special schools and centers*  
64000-64001 *Consolidated application process*

GOVERNMENT CODE

11135 *Nondiscrimination in programs or activities funded by state*  
12900-12996 *Fair Employment and Housing Act*

PENAL CODE

422.6 *Interference with constitutional right or privilege*

CODE OF REGULATIONS, TITLE 5

3080 *Application of section*  
4600-4687 *Uniform complaint procedures*  
4900-4965 *Nondiscrimination in elementary and secondary education programs*

UNITED STATES CODE, TITLE 20

6301-6577 *Title I basic programs*  
6601-6777 *Title II preparing and recruiting high quality teachers and principals*  
6801-6871 *Title III language instruction for limited English proficient and immigrant students*  
7101-7184 *Safe and Drug-Free Schools and Communities Act*  
7201-7283g *Title V promoting informed parental choice and innovative programs*  
7301-7372 *Title V rural and low-income school programs*

*Management Resources:*

WEB SITES

CSBA: <http://www.csba.org>  
California Department of Education: <http://www.cde.ca.gov>  
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

**UNIFORM COMPLAINT PROCEDURES**

Except as the Board of Trustee’s may otherwise specifically provide in other Board policies, the uniform complaint procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying, as specified in accompanying Board policy.

- (cf. 1312.1 –Complaints Concerning CROP Employees)*
- (cf. 1312.2 –Complaints Concerning Instructional Material)*
- (cf. 1312.4 –Williams Uniform Complain Procedures)*
- (cf. 4031 – Complaints Concerning Discrimination in Employment)*

**Compliance Officers**

The following compliance officer(s) shall receive and investigate complaints and shall ensure Coastline Regional Occupational Program (CROP) compliance with law:

Assistant Superintendent  
1001 Presidio Square  
Costa Mesa, CA 92626  
714-979-1955

The Superintendent or his/her designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or his/her designee.

*(cf. 9124 - Attorney)*

**Notifications**

The Superintendent or his/her designee shall annually provide written notification of the CROP's uniform complaint procedures to students, employees, parents/guardians, the CROP advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

- (cf. 0420 - School Plans/Site Councils)*
- (cf. 1220 - Citizen Advisory Committees)*
- (cf. 4112.9/4212.9/4312.9 - Employee Notifications)*
- (cf. 5145.6 - Parental Notifications)*

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable

**UNIFORM COMPLAINT PROCEDURES** (continued)

3. Advise the complainant of the appeal process pursuant to Education Code 262.3, including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
  - a. The CROP is primarily responsible for compliance with state and federal laws and regulations.
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
  - c. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination.
  - d. The complainant has a right to appeal the CROP's decision to the CDE by filing a written appeal within 15 days of receiving the CROP's decision.
  - e. The appeal to the CDE must include a copy of the complaint filed with the CROP and a copy of the CROP's decision.
  - f. Copies of the CROP's uniform complaint procedures are available free of charge.

**Procedures**

All complaints shall be investigated and resolved within 60 days of the receipt of the complaint. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

## **UNIFORM COMPLAINT PROCEDURES** (continued)

### **Step 1: Filing of Complaint**

Any individual, public agency or organization may file a written complaint of the CROP's alleged noncompliance with federal or state laws or regulations governing educational programs. (5 CCR 4630)

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. However, upon written request by the complainant, the Superintendent or his/her designee may extend the filing period for up to 90 days. (5 CCR 4630)

A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to the evidence to support an allegation of noncompliance. (Education Code 49013)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, CROP staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

### **Step 2: Investigation of Complaint**

Within 10 days of receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer also shall collect all documents and interview all witnesses with information pertinent to the complaint.

A complainant's refusal to provide the CROP's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the CROP shall provide the investigator with access to records and/or other information related to the allegation in the complaint. (5 CCR 4631)

**UNIFORM COMPLAINT PROCEDURES** (continued)

**Step 3: Response**

Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the CROP's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.

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

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

**Step 4: Final Written Decision**

The CROP's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The CROP's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition
5. Corrective actions, if any are warranted
6. Notice of the complainant's right to appeal the CROP's decision within 15 days to the CDE and procedures to be followed for initiating such an appeal

In addition, any decision concerning a discrimination complaint based on state law shall include a notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)

If investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was



## **UNIFORM COMPLAINT PROCEDURES** (continued)

informed of CROP expectations. The report shall not give any further information as to the nature of the disciplinary action.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges is found to have merit, the CROP shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)

### **Appeals to the California Department of Education**

If dissatisfied with the CROP's decision, the complainant may appeal in writing to the CDE within 15 days of receiving the CROP's decision. When appealing to the CDE, the complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the CROP's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the CROP's decision, the Superintendent or his/her designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the CROP, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the CROP's uniform complaint procedures
7. Other relevant information requested by the CDE

The CDE may directly intervene in a complaint without waiting for action by the CROP when one of the conditions listed in 5 CCR 4650 exists, including cases in which the CROP has not taken action within 60 days of the date the complaint was filed with the CROP.

### **Civil Law Remedies**

A complainant may pursue available civil law remedies outside of the CROP's complaint procedures. Complainants may seek assistance from mediation centers or public/private

**UNIFORM COMPLAINT PROCEDURES** (continued)

interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying complaints based on state law, a complainant shall wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the CROP has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)

**WILLIAMS UNIFORM COMPLAINT PROCEDURES**

**Types of Complaints**

The Coastline Regional Occupational Program (CROP) shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186; 5 CCR 4681, 4682, 4683)

1. Textbooks and instructional materials
  - a. A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or CROP-adopted textbooks or other required instructional materials to use in class.
  - b. A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
  - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - d. A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

2. Teacher vacancy or misassignment
  - a. A semester begins and a teacher vacancy exists.
  - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.

*(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)*

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

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

**WILLIAMS UNIFORM COMPLAINT PROCEDURES** (continued)

*Beginning of the year or semester* means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester. (5 CCR 4600)

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

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

3. Facilities

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

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

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

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

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

## **WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)**

### **Filing of Complaint**

A complaint alleging any condition(s) specified in items #1-3 in the section entitled "Types of Complaints" above shall be filed with the Program Administrator at the Coastline Regional Occupational Program (CROP). The designee shall forward a complaint about problems beyond his/her authority to the Superintendent or his/her designee in a timely manner, but not to exceed 10 working days. (Education Code 35186; 5 CCR 4680)

### **Investigation and Response**

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

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

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

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

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

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

*(cf. 1340 - Access to CROP Records)*

## **WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)**

### **Reports**

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

### **Forms and Notices**

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

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

#### *Legal Reference:*

##### EDUCATION CODE

1240 County superintendent of schools, duties

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedure

35292.5 Restrooms, maintenance and cleanliness

37254 Supplemental instruction based on failure to pass exit exam by end of grade 12

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials

##### CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures, especially:

4680-4687 Williams complaints

#### *Management Resources:*

##### WEB SITES

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

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

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

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

**WILLIAMS UNIFORM COMPLAINT PROCEDURES**

**Cautionary Notice:** As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants CROPs flexibility in "Tier 3" categorical programs. The Coastline Regional Occupational Program (CROP) has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the CROP may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

**NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS:  
COMPLAINT RIGHTS**

Parents/Guardians, Pupils, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

*Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

*Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

4. A complaint form can be obtained at the CROP office, or downloaded from the CROP web site. You may also download a copy of the California Department of Education complaint form from the following web site:  
<http://www.cde.ca.gov/re/cp/uc>.

**WILLIAMS UNIFORM COMPLAINT PROCEDURES**

**Cautionary Notice:** As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants CROPs flexibility in "Tier 3" categorical programs. The Coastline Regional Occupational Program (CROP) has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the CROP may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

**COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, or the lack of opportunity to receive intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested?  Yes  No

Contact information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: Day: \_\_\_\_\_ Evening: \_\_\_\_\_

E-mail address, if any: \_\_\_\_\_

Location of the problem that is the subject of this complaint:

School name/address: \_\_\_\_\_

Course title/grade level and teacher name: \_\_\_\_\_

Room number/name of room/location of facility: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

**Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate CROP complaint procedure.**

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

- 1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)
  - A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or CROPt-adopted textbooks or other required instructional materials to use in class.



**WILLIAMS UNIFORM COMPLAINT PROCEDURES** (continued)

- A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
  - Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)
- A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
  - A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
  - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
3. Facility conditions: (Education Code 17592.72, 35186, 35292.5; 5 CCR 4683)
- A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the CROP.
  - A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.
  - The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when temporary closing of the restroom is necessary for pupil safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of pupils or staff.

**WILLIAMS UNIFORM COMPLAINT PROCEDURES** (continued)

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Please file this complaint at the following location:

Assistant Superintendent  
1001 Presidio Square  
Costa Mesa, CA 92626  
714-979-1955

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date)

**SOLICITATION OF FUNDS FROM AND BY STUDENTS**

The Board of Trustees recognizes that student participation in fund-raising activities for the schools and nonprofit, nonpartisan charitable organizations can help develop a sense of social responsibility in students, enhance the relationship between the school and community, and contribute to the improvement of the school program.

*(cf. 1325 - Advertising and Promotion)*  
*(cf. 4135/4235/4335 - Soliciting and Selling)*  
*(cf. 5022 - Student and Family Privacy Rights)*  
*(cf. 6142.4 - Service Learning/Community Service Classes)*

Whether solicitations are made on behalf of the school or on behalf of a charitable organization, students shall not be barred from an event or activity because they did not participate in fund-raising. Potential donors, including parents/guardians and members of the community, should not be unduly pressured to contribute to the school system or charitable organizations. Staff is expected to emphasize the fact that donations are always voluntary.

The Superintendent or his/her designee shall ensure that parents/guardians are informed of the purpose of fund-raisers.

**Solicitations on Behalf of the School**

With the prior written approval of the Superintendent or his/her designee, official school-related organizations may organize fund-raising events involving students.

*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 1230 - School-Connected Organizations)*  
*(cf. 1260 - Educational Foundation)*  
*(cf. 3290 - Gifts, Grants and Bequests)*  
*(cf. 3554 - Other Food Sales)*

**Solicitations on Behalf of Charities**

When approved in advance by the Superintendent or his/her designee, nonprofit, nonpartisan organizations that are properly chartered or licensed by state or federal law may solicit students on school grounds during school hours and within one hour before school has opened and one hour after school has closed. (Education Code 51520)

*Legal Reference: (see next page)*

**SOLICITATION OF FUNDS FROM AND BY STUDENTS (continued)**

*Legal Reference:*

EDUCATION CODE

51520 Prohibited solicitations on school premises

51521 Unlawful solicitations of contribution or purchase of personal property for benefit of public school or student body; exception

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Charitable solicitations

PENAL CODE

319-329 Raffles

REVENUE AND TAX CODE

6361 Sales tax exemption for certain sales

CODE OF REGULATIONS, TITLE 8

11706 Dangerous activities and occupations

*Management Resources:*

CSBA PUBLICATIONS

*Healthy Food Policy Resource Guide, 2003*

ATTORNEY GENERAL PUBLICATIONS

*Guide to Charitable Solicitation, 1999*

*Attorney General's Guide for Charities, 1988*

WEB SITES

Office of the Attorney General: <http://caag.state.ca.us>

**SOLICITATION OF FUNDS FROM AND BY STUDENTS**

The Superintendent or his/her designee shall approve all fund-raising activities at least 15 days before the activity. If the event involves a contract with a commercial vendor, the Superintendent or his/her designee shall review the contract.

In order to minimize interruptions to the educational program, staff shall limit fund-raising activities to appropriate time periods designated by the Superintendent.

*(cf. 6116 - Classroom Interruptions)*

No student shall be required to raise a specified amount of money in order to participate in an activity sponsored by a school-related organization.

*(cf. 1230 - School-Connected Organizations)*

Students engaged in fund-raising activities on behalf of the school or for school-related projects are expected to be courteous and respectful towards all individuals and businesses.

**USE OF SCHOOL FACILITIES**

The Board of Trustees recognizes that Coastline Regional Occupational Program (CROP) facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

*(cf. 6145.5 - Student Organizations and Equal Access)*

All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

The Superintendent or his/her designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary

*(cf. 0450 - Comprehensive School Safety Plan)*  
*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

**Fees**

The Board authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs, or associations organized to promote youth and school activities. In accordance with Education Code 38134(a), these groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire, Inc., parent-teacher associations, and school-community advisory councils. Other groups, including nonprofit groups not organized to promote youth and school activities or for-profit groups that request the use of school facilities under the Civic Center Act, shall be charged at least direct costs.

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the CROP's students. (Education Code 38134)

*Legal Reference: (see next page)*

## USE OF SCHOOL FACILITIES (continued)

### *Legal Reference:*

#### EDUCATION CODE

10900-10914.5 *Community recreation programs*

32282 *School safety plan*

37220 *School holidays*

38130-38138 *Civic Center Act, use of school property for public purposes*

#### BUSINESS AND PROFESSIONS CODE

25608 *Alcoholic beverage on school premises*

#### MILITARY AND VETERANS CODE

1800 *Definitions*

#### UNITED STATES CODE, TITLE 20

7905 *Equal access to public school facilities*

#### COURT DECISIONS

*Good News Club v. Milford Central School*, (2001) 533 U.S. 98

*Lamb's Chapel v. Center Moriches Union Free School CROP*, (1993) 508 U.S. 384

*Cole v. Richardson*, (1972) 405 U.S. 676

*Connell v. Higgenbotham*, (1971) 403 U.S. 207

*ACLU v. Board of Education of Los Angeles*, (1961) 55 Cal.2d 167

*Ellis v. Board of Education*, (1945) 27 Cal.2d 322

#### ATTORNEY GENERAL OPINIONS

82 *Ops.Cal.Atty.Gen.* 90 (1999)

79 *Ops.Cal.Atty.Gen.* 248 (1996)

### *Management Resources:*

#### CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

1101.89 *School CROP Liability and "Hold Harmless" Agreements, LO: 4-89*

#### WEB SITES

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

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

**USE OF SCHOOL FACILITIES**

**Application for Use of Facilities**

Any persons applying for the use of any school facility or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Persons or organizations applying for the use of school facilities or grounds shall submit a statement of information indicating that the organization upholds the state and federal constitutions and does not intend to use school premises to commit unlawful acts.

**Civic Center Use**

Subject to Coastline Regional Occupational Program (CROP) policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination
7. A community youth center

*(cf. 1020 - Youth Services)*

8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare



## **USE OF SCHOOL FACILITIES** (continued)

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

*A veterans' organization* means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Board of Trustees

The CROP may grant the use of school facilities on those days on which the public school is closed. (Education Code 37220)

*(cf. 6115 - Ceremonies and Observances)*

### **Restrictions**

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of the school facility for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances, including tobacco use

*(cf. 3513.3 - Tobacco-Free Schools)*

The CROP may exclude certain school facilities from non-school use for safety or security reasons.

### **Damage and Liability**

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damages caused by the activity. The Board may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds.

**USE OF SCHOOL FACILITIES** (continued)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of CROP facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the CROP with evidence of insurance against claims arising out of the group's own negligence. Groups or organizations shall also be required to include the CROP as an additional insured on their liability policies for claims arising out of the negligence of the group.

As permitted, the Superintendent or his/her designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facility being used.

**USE OF SCHOOL FACILITIES**

**STATEMENT OF INFORMATION  
COASTLINE REGIONAL OCCUPATIONAL PROGRAM (CROP)**

The undersigned, as duly authorized representative for \_\_\_\_\_, states that, to the best of his/her knowledge, the school property for use of which application is hereby made will not be used for the commission of any crime or any act which is prohibited by law.

The undersigned further declares that \_\_\_\_\_, the organization on whose behalf he/she is applying for the use of school property, upholds and defends the Constitutions of the United States and the State of California.

\_\_\_\_\_  
(Signed)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(organization if applicable)

**JOINT USE AGREEMENTS**

In order to ensure the efficient use of public resources and increase access to needed services, the Board of Trustees may enter into an agreement with any public agency, public institution, and/or community organization to use community facilities for school programs or to make school facilities or grounds available for use by those entities. Such an agreement shall be based on an assessment of student and community needs and may be designed to increase access to spaces for recreation and physical activity, library services, school health centers, preschool programs, child care centers, before- or after-school programs, or other programs that benefit students and the community.

*(cf. 1020 - Youth Services)*

*(cf. 1330 - Use of School Facilities)*

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

*(cf. 5030 - Student Wellness)*

*(cf. 5141.6 - School Health Services)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

*(cf. 6142.7 - Physical Education and Activity)*

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6163.1 - Library Media Centers)*

*(cf. 7000 - Concepts and Roles)*

*(cf. 7131 - Relations with Local Agencies)*

When it is determined that joint use of facilities is in the best interest of the Coastline Regional Occupational Program (CROP) and community, the Superintendent or his/her designee shall identify a potential partner agency, institution, or organization. He/she shall involve that partner, appropriate CROP and school staff, and community members in establishing planning processes, goals and priorities for joint use, locations where programs or facilities are most needed, and protocols for ongoing communication and coordination between the partners.

*(cf. 1220 - Citizen Advisory Committees)*

The Superintendent or his/her designee shall work with the partner agency, institution, or organization to develop a written site-specific joint use agreement that delineates the terms and conditions for joint use of the CROP or community facilities and the responsibilities of all parties. As appropriate, the agreement may address:

1. The underlying philosophy or reasons for entering into the joint use agreement
2. The specific CROP or community facilities or grounds that will be made available to the other party and areas that will be restricted
3. Priorities for use of the property
4. Hours that the property will be available for use by the CROP, the partner, or other parties

**JOINT USE AGREEMENTS** (continued)

5. Projected capital costs, if any, and operating costs

*(cf. 7110 - Facilities Master Plan)*  
*(cf. 7150 - Site Selection and Development)*  
*(cf. 7210 - Facilities Financing)*

6. Resources to be allocated by the CROP and the partner

*(cf. 3100 - Budget)*

7. Rental or other fees, if any, to be charged to either party or third parties using the facilities

8. Responsibilities for management, scheduling, maintenance, on-site supervision, accounting, and other operations

9. Procedures and timelines for requesting use of the facilities

10. Code of conduct for users of the facilities and consequences for violations of the code

*(cf. 3513.3 - Tobacco-Free Schools)*  
*(cf. 3515.2 - Disruptions)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.5 - Vandalism and Graffiti)*

11. Provision for regular inspection and notification of damage, as well as restitution and repair of property

*(cf. 3515.4 - Recovery for Property Loss or Damage)*  
*(cf. 3517 - Facilities Inspection)*

12. Safety and security measures

*(cf. 0450 - Comprehensive School Safety Plan)*  
*(cf. 3515 - Campus Security)*  
*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*  
*(cf. 5142 - Safety)*

13. Liability, insurance, and risk management issues

*(cf. 3320 - Claims and Actions Against the District)*  
*(cf. 3530 - Risk Management/Insurance)*  
*(cf. 9260 - Legal Protection)*

14. Duration of the agreement, process for amending the agreement, and the bases for cancelling or terminating the agreement before the expiration date

**JOINT USE AGREEMENTS** (continued)

15. Process for resolving disputes regarding any aspect of the agreement
16. How any equipment purchased or other investments made through the agreement will be disposed of at the termination of the agreement

The agreement shall be reviewed by legal counsel and approved by the Board.

*Legal Reference: (see next page)*

## JOINT USE AGREEMENTS (continued)

### Legal Reference:

#### EDUCATION CODE

8482-8484.6 *After School Education and Safety Program*  
8484.7-8484.9 *21st Century Community Learning Centers*  
10900-10914.5 *Community recreation programs*  
17051-17052 *Joint use*  
17077.40-17077.45 *Eligibility for joint use funding*  
17565-17592 *Board duties re property maintenance and control*  
35200-35214 *Liabilities*  
37220 *School holidays; use of facilities when school is closed*  
38130-38138 *Civic Center Act, use of school property for public purposes*  
44808 *Exemption from liability when students not on school property*

#### BUSINESS AND PROFESSIONS CODE

25608 *Alcoholic beverages on school premises*

#### GOVERNMENT CODE

814-825.6 *Liability of public entities and employees*  
830-840.6 *Liability; dangerous conditions on property*  
895-895.8 *Liability; agreement between public entities*  
989-991.2 *Local public entity insurance*

#### UNITED STATES CODE, TITLE 20

7171-7176 *21st Century Community Learning Centers*  
7905 *Equal access to public facilities*

### Management Resources:

#### CSBA PUBLICATIONS

*Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, rev. February 2010*

*Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009*

#### NATIONAL POLICY AND LEGAL ANALYSIS NETWORK TO PREVENT CHILDHOOD OBESITY PUBLICATIONS

*Model California Joint Use Agreements*

*Liability for Use of School Property After Hours: An Overview of California Law, July 2009*

*Checklist for Developing Joint Use Agreements, March 2009*

#### PUBLIC HEALTH LAW AND POLICY PUBLICATIONS

*Opening School Grounds to the Community After Hours: A Toolkit for Increasing Physical Activity Through Joint Use Agreements, 2010*

#### WEB SITES

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

California Project LEAN (Leaders Encouraging Activity and Nutrition):  
<http://www.californiaprojectlean.org>

Cities Counties and Schools Partnership: <http://www.ccspartnership.org>

Joint Use Statewide Task Force: <http://www.jointuse.org>

National Policy and Legal Analysis Network: <http://www.nplan.org>

Public Health Law and Policy: <http://www.phlpnet.org>

**ACCESS TO CROP RECORDS**

The Board of Trustees recognizes the right of citizens to have access to public records of the Coastline Regional Occupational Program (CROP). The Board intends the CROP to provide any person reasonable access to the public records of the schools and CROP during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 3580 - CROP Records)*

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*

*(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)*

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

The CROP may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or his/her designee and as specified in administrative regulation.

In order to help maintain the security of CROP records, members of the public granted access shall examine records in the presence of a CROP staff member.

*Legal Reference: (see next page)*



**ACCESS TO CROP RECORDS (continued)**

*Legal Reference:*

EDUCATION CODE

- 35145 *Public meetings*
- 35170 *Authority to secure copyrights*
- 35250 *Duty to keep certain records and reports*
- 41020 *Requirement for annual audit*
- 42103 *Publication of proposed budget; hearing*
- 44031 *Personnel file contents and inspections*
- 44839 *Medical certificates; periodic medical examination*
- 49060-49079 *Pupil records*
- 49091.10 *Parental review of curriculum and instruction*
- 52850 *Applicability of article (School-Based Program Coordination Plan availability)*

GOVERNMENT CODE

- 3547 *Proposals relating to representation*
- 6250-6270 *California Public Records Act*
- 6275-6276.48 *Other exemptions from disclosure*
- 53262 *Employment contracts*
- 54957.2 *Minute book record of closed sessions*
- 54957.5 *Agendas and other writings distributed for discussion or consideration*
- 81008 *Political Reform Act, public records; inspection and reproduction*

CALIFORNIA CONSTITUTION

*Article I, Section 3 Right of access to governmental information*

CODE OF REGULATIONS, TITLE 5

430-438 *Individual pupil records*

COURT DECISIONS

*International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County*, (2007) 42 Cal.4th 319

*Los Angeles Times v. Alameda Corridor Transportation Authority*, (2001) 88 Cal.App.4th 1381

*Kleitman v. Superior Court*, (1999) 74 Cal.App. 4th 324

*Fairley v. Superior Court*, (1998) 66 Cal.App. 4th 1414

*North County Parents Organization for Children with Special Needs v. Department of Education*, (1994) 23 Cal.App. 4th 144

ATTORNEY GENERAL OPINIONS

71 *Ops.Cal.Atty.Gen.* 235 (1988)

64 *Ops.Cal.Atty.Gen.* 186 (1981)

*Management Resources: (see next page)*

**ACCESS TO CROP RECORDS** (continued)

*Management Resources:*

ATTORNEY GENERAL PUBLICATIONS

*Summary of the California Public Records Act, 2004*

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

*The People's Business: A Guide to the California Public Records Act, 2008*

WEB SITES

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

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

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

State Bar of California: <http://www.calbar.ca.gov>

**ACCESS TO CROP RECORDS**

**Definitions**

*Public records* include any writing containing information relating to the conduct of the Coastline Regional Occupational Program (CROP) business prepared, owned, used, or retained by the CROP regardless of physical form or characteristics. (Government Code 6252)

*(cf. 3580 - CROP Records)*

*(cf. 9012 - Board Member Electronic Communications)*

*Writing* means any handwriting, typewriting, printing, photostating, photographing, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

*Member of the public* means any person, except a member, agent, officer, or employee of the CROP or a federal, state, or other local agency acting within the scope of his/her membership, agency, office, or employment.

**Public Records**

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved CROP budgets and annual audits (Education Code 41020, 42103)

*(cf. 3100 - Budget)*

*(cf. 3460 - Financial Reports and Accountability)*

2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins
5. Minutes of public meetings (Education Code 35145)

*(cf. 9324 - Minutes and Recordings)*

6. Meeting agendas (Government Code 54957.5)

*(cf. 9322 - Agenda/Meeting Materials)*

**ACCESS TO CROP RECORDS** (continued)

7. Official communications between the CROP and other government agencies

8. School-based program plans (Education Code 52850)

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 0420.1 - School-Based Program Coordination)*

9. Information and data relevant to the evaluation and modification of CROP plans

*(cf. 0440 - CROP Technology Plan)*

*(cf. 0520.2 - Title I Program Improvement Schools)*

*(cf. 0520.3 - Title I Program Improvement CROPs)*

10. Initial proposals of exclusive employee representatives and of the CROP  
(Government Code 3547)

*(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)*

11. Claims filed against the CROP and records pertaining to pending litigation  
(Government Code 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235  
(1988))

*(cf. 3320 - Claims and Actions Against the CROP)*

12. Statements of economic interests required by the Conflict of Interest Code  
(Government Code 81008)

*(cf. 9270 - Conflict of Interest)*

13. Employment contracts and settlement agreements (Government Code 53262)

*(cf. 2121 - Superintendent's Contract)*

*(cf. 4117.5/4217.5/4317.5 - Termination Agreements)*

*(cf. 4141/4241 - Collective Bargaining Agreement)*

14. Instructional materials including, but not limited to, textbooks (64 Ops.Cal.Atty.Gen.  
186 (1981))

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

Board of Trustees members shall have the ability to access public records permitted by law in the administration of their duties or open to inspection by members of the public.  
(Government Code 6252.5)

## **ACCESS TO CROP RECORDS** (continued)

The Superintendent or his/her designee shall ensure that any public record containing personal information is redacted to ensure that such information, including, but not limited to, an employee's home address or social security number, is not disclosed to the public.

### **Confidential Records**

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, interagency or intraCROP memoranda which are not retained by the CROP in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

2. Records specifically prepared for litigation to which the CROP is a party or to respond to claims made against the CROP pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1988))
3. Personnel records, medical records, student records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*  
*(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)*  
*(cf. 5125 - Student Records)*  
*(cf. 5125.1 - Release of Directory Information)*

The home addresses and home telephone numbers of employees may only be disclosed as follows: (Government Code 6254.3)

- a. To an agent or a family member of the employee
- b. To an officer or employee of a state agency or another school CROP or county office of education when necessary for the performance of official duties
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, unless the employee performs law enforcement-related functions or requests in writing that the information not be disclosed

**ACCESS TO CROP RECORDS** (continued)

*(cf. 4140/4240/4340 - Bargaining Units)*

- d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to CROP employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

*(cf. 4154/4254/4354 - Health and Welfare Benefits)*

4. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*

5. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the CROP relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)
6. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information (Government Code 6254)
7. Library circulation and patron use records of a borrower or patron including, but not limited to, his/her name, address, telephone number, email address, borrowing information, or use of library information resources (Government Code 6254, 6267)

*(cf. 6163.1 - Library Media Centers)*

8. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

*(cf. 9124 - Attorney)*

9. Documents prepared by or for the CROP to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt CROP operations and that are for distribution or consideration in closed session (Government Code 6254)

*(cf. 0450 - Comprehensive Safety Plan)*

**ACCESS TO CROP RECORDS** (continued)

10. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school CROP (Government Code 6253.5)

*(cf. 9223 - Filling Vacancies)*

11. Minutes of Board meetings held in closed session (Government Code 54957.2)

*(cf. 9321 - Closed Session Purposes and Agendas)*

12. Computer software developed by the CROP (Government Code 6254.9)

13. Information security records, the disclosure of which would reveal vulnerabilities to, or increase potential for an attack on, the CROP's information technology system (Government Code 6254.19)

14. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

*(cf. 5141.6 - School Health Services)*

15. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

16. Records for which the CROP can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

**Inspection of Records and Requests for Copies**

Any person may request a copy or inspection of any CROP record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a CROP record, the Superintendent or his/her designee shall determine whether the request seeks release of a disclosable public record in the CROP's possession. The Superintendent or his/her designee shall promptly inform the person making the request of his/her determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or his/her designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for

**ACCESS TO CROP RECORDS** (continued)

the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the CROP (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or his/her designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during CROP office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

The Superintendent or his/her designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or his/her designee.

If any person requests that a public record be provided in an electronic format, the CROP shall make that record available in any electronic format in which it holds the information.

The CROP shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the CROP to create copies for its own use or for use by other agencies. (Government Code 6253.9)



**ACCESS TO CROP RECORDS** (continued)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.
2. The request would require data compilation, extraction, or programming to produce the record.

**Assistance in Identifying Requested Records**

If the Superintendent or his/her designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or his/her designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or his/her designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay access for purposes of inspecting records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

**RELATIONS BETWEEN OTHER GOVERNMENTAL AGENCIES AND THE SCHOOLS**

The Board of Trustees recognizes that agencies at all levels of government share its concern and responsibility for the health, safety, and welfare of youth. The Board and Superintendent or his/her designee shall initiate and maintain good working relationships with representatives of these agencies in order to help CROP schools and students make use of the resources which governmental agencies can provide.

- (cf. 0450 - Comprehensive Safety Plan)*
- (cf. 1020 - Youth Services)*
- (cf. 1330 - Use of School Facilities)*
- (cf. 3515.2 - Disruptions)*
- (cf. 3515.3 - CROP Police/Security Department)*
- (cf. 3515.5 - Sex Offender Notification)*
- (cf. 3516 - Emergencies and Disaster Preparedness Plan)*
- (cf. 5030 - Student Wellness)*
- (cf. 5131.7 - Weapons and Dangerous Instruments)*
- (cf. 5141.22 - Infectious Diseases)*
- (cf. 5141.4 - Child Abuse Prevention and Reporting)*
- (cf. 5145.11 - Questioning and Apprehension by Law Enforcement)*
- (cf. 5145.12 - Search and Seizure)*
- (cf. 7131 - Relations with Local Agencies)*

The Coastline Regional Occupational Program (CROP) may enter into agreements with other agencies which involve the exchange of funds or reciprocal services. Such agreements shall be approved by the Board and executed in writing.

**Elections/Voter Registration**

If a city or county elections official specifically requests the use of a school building as a polling place, the Board shall allow its use for such purpose. The Board may authorize the use of school buildings as polling places on any election day, and may also authorize the use of school buildings, without cost, for the storage of voting machines and other vote-tabulating devices. If school will be in session, the Superintendent or his/her designee shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places. (Elections Code 12283)

- (cf. 6111 - School Calendar)*

When a school is used as a polling place, the Superintendent or his/her designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to disabled persons. (Elections Code 12283)

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

*Legal Reference: (see next page)*

**RELATIONS BETWEEN OTHER GOVERNMENTAL AGENCIES AND THE SCHOOLS** (continued)

*Legal Reference:*

EDUCATION CODE

- 10900-10914.5 Cooperative community recreation programs*
- 12400 Authority to receive and expend federal funds*
- 12405 Authority to participate in federal programs*
- 17050 Joint use of library facilities*
- 17051 Joint use of park and recreational facilities*
- 32001 Fire alarms and drills*
- 32288 Notice of safety plan*
- 35160 Authority of governing boards*
- 35160.1 Broad authority of school CROPs*
- 48902 Notification of law enforcement agencies*
- 48909 CROP attorney may give notice student drug use, sale or possession*
- 49305 Cooperation of police and California Highway Patrol*
- 49402 Contracts with city, county or local health departments*
- 49403 Cooperation in control of communicable disease and immunization*
- 51202 Instruction in personal and public health and safety*

ELECTIONS CODE

- 2145-2148 Distribution of voter registration forms*

- 12283 Polling places: schools*

WELFARE AND INSTITUTIONS CODE

- 828 Disclosure of information minors by law enforcement agency*
- 828.1 School CROP police department; disclosure of juvenile criminal records*

*Management Resources:*

WEB SITES

- CSBA: <http://www.csba.org>*
- California Secretary of State: <http://www.ss.ca.gov>*
- California Voter Foundation: <http://www.calvoter.org>*
- Cities, Counties, and Schools Partnership: <http://www.ccspartnership.org>*

**RELATIONS BETWEEN PRIVATE INDUSTRY AND THE SCHOOLS**

The Board of Trustees recognizes that private industry and the schools have a mutual interest in maximizing student achievement in order to prepare students to be productive citizens and contribute to the economic health of the community. The Board shall encourage local business involvement in efforts that support the core mission and goals of the Coastline Regional Occupational Program (CROP) and promote the academic, social, and physical well-being of students.

*(cf. 0000 - Vision)*  
*(cf. 0200 - Goals for the School CROP)*  
*(cf. 6142.3 - Civic Education)*  
*(cf. 6142.4 - Service Learning/Community Service Classes)*

The Board and the Superintendent or his/her designee shall develop strategies to initiate business partnerships and shall communicate with business partners about CROP needs and priorities. The Superintendent or his/her designee may assign CROP staff to coordinate community/business outreach efforts on behalf of the CROP and work to ensure equitable distribution of business involvement.

*(cf. 9000 - Role of the Board)*

Businesses and industry and/or their representatives may support the CROP by:

1. Volunteering in the classroom or school, providing special instructional programs or assemblies, and serving as tutors or mentors for individual students

*(cf. 1240 - Volunteer Assistance)*  
*(cf. 1250 - Visitors/Outsiders)*

2. Donating funds, products, instructional materials, or services that serve an educational purpose

*(cf. 1260 - Educational Foundation)*  
*(cf. 3290 - Gifts, Grants and Bequests)*  
*(cf. 6161.1- Selection and Evaluation of Instructional Materials)*  
*(cf. 9270 - Conflict of Interest)*

3. Serving on advisory committees in order to provide business expertise or perspectives

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 5030 - Student Wellness)*

4. Working with the CROP staff to ensure the relevance and rigor of the instructional program and providing work opportunities for students enrolled in these programs

**RELATIONS BETWEEN PRIVATE INDUSTRY AND THE SCHOOLS** (continued)

*(cf. 5113.2 - Work Permits)*

*(cf. 6178 - Career Technical Education)*

*(cf. 6178.1 - Work Experience Education)*

5. Engaging in other activities approved by the Superintendent or his/her designee that are designed to increase student learning or support school operations

The Board urges employers to further support the schools by recognizing their employees' needs as parents/guardians, accommodating their needs for child care, and supporting their involvement with their children's schools.

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 6020 - Parent Involvement)*

The Superintendent or his/her designee may publicly acknowledge the support of a business partner in CROP communications and/or by allowing the use of the business name or logo on donated products or materials, but shall not unduly promote or endorse any commercial activity or products. He/she also may recommend Board commendation to those individuals and/or businesses that have made extraordinary contributions to the CROP.

*(cf. 1150 - Commendation and Awards)*

The Superintendent or his/her designee shall regularly report to the Board regarding the CROP's progress in establishing and sustaining business partnerships and the ways in which businesses have supported CROP programs.

*(cf. 0500 - Accountability)*

*Legal Reference: (see next page)*

**RELATIONS BETWEEN PRIVATE INDUSTRY AND THE SCHOOLS** (continued)

*Legal Reference:*

EDUCATION CODE

8070 Career technical education advisory committee

35160 Authority of governing boards

35160.1 Broad authority of school CROPs

41030-41037 Gifts and bequests

51760-51769.5 Work experience education

52300-52499.66 Career technical education

UNITED STATES CODE, TITLE 20

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006, especially:

2354 Local plan for career technical education, business involvement

*Management Resources:*

CSBA PUBLICATIONS

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

Maximizing School Board Governance: Community Leadership, 1996

COUNCIL FOR CORPORATE AND SCHOOL PARTNERSHIPS PUBLICATIONS

A How-To Guide for School-Business Partnerships

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Building Business Support for School Health Programs, 1999

WEB SITES

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

California Consortium of Education Foundations: <http://www.cceflink.org>

California Department of Education, Parents/Family and Community: <http://www.cde.ca.gov/ls/pf>

Council for Corporate and School Partnerships: <http://www.corpschoolpartners.org>

National Association of State Boards of Education: <http://www.nasbe.org>