

Community Relations

CONCEPTS AND ROLES

The Board of Trustees desires to represent the community and provide leadership in addressing community issues related to 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 designee shall work together with city and county agencies and organizations to promote and facilitate coordinated services for children, 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 school 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 designee shall keep community members well informed about district needs and accomplishments and shall ensure that they have opportunities to share in developing educational policies, programs and evaluation processes.

(cf. 0420.5 - School-Based Decision Making)

(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:

EDUCATION CODE

35160 Authority of governing boards

35172 Promotional activities

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

COMMUNICATIONS WITH THE PUBLIC

The Board of Trustees appreciates the importance of community involvement and therefore shall strive to keep the community informed of developments within the school system in timely and understandable ways.

The Superintendent or designee shall use all available means of communication to keep the public aware of the goals, programs, achievements and needs of our schools. Members of the community shall have opportunities to become involved in the schools and to express their interests and concerns.

(cf. 1340 - Access to District Records)
(cf. 5145.6 - Parental Notifications)
(cf. 9321 - Closed Sessions Purposes and Agendas)

MASS MAILINGS OR DISTRIBUTIONS

The Board recognizes that state law prohibits mass mailings or distributions at public expense which aggrandize elected officers. The name, signature or photograph of an elected district officer may be included in such materials only as permitted by 2 CCR 18901.

Legal Reference:
EDUCATION CODE
35172 Promotional activities
GOVERNMENT CODE
82041.5 Mass mailing
89001 Newsletter or mass mailing
CODE OF REGULATIONS, TITLE 2
18901 Mass mailings sent at public expense

Management Resources:
CDE LEGAL ADVISORIES
0619.87 Political activities of school districts and governing boards

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

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.

(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 district 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 District 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

The district shall not impose restraints on students' right to speak freely with media representatives at those times which do not disrupt students' 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 principal. At their discretion, parents/guardians may instruct their children not to communicate with media representatives.

(cf. 5145.2 - Freedom of Speech/Expression)

Community Relations

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 principal or 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.

Media Communications Plan

In order to help develop strong relations with the media, the Superintendent or designee shall develop a proactive media communications plan. This plan may include, but not be limited to, information related to district programs and needs, student awards, school accomplishments and events of special interest.

(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
(cf. 1160 - Political Processes)

The plan shall specify the district's and/or site's primary media contact to whom all media inquiries shall be routed. Spokespersons designated to speak to the media on behalf of the district include the Board president, Superintendent and public information officer. Other Board members and staff may be asked by the Superintendent or designee to speak to the media on a case-by-case basis, depending on their expertise on an issue.

The Superintendent or designee shall provide training on effective media relations to all designated spokespersons.

(cf. 9240 - Board Development)

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 district work together effectively, the Superintendent or 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)

Community Relations

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 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 District, (1995) 34 Cal.App.4th 1302

ATTORNEY GENERAL OPINIONS

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

Management Resources:

CSBA PUBLICATIONS

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

WEB SITES

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

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

Design Standards

The Superintendent or designee shall establish design standards for district and school web sites in order to maintain a consistent identity, professional appearance, and ease of use.

The district's design standards shall address the accessibility of district-sponsored web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

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

Guidelines for Content

The Superintendent or designee shall develop content guidelines for district and school web sites and shall assign staff to review and approve content prior to posting.

Privacy Rights

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

(cf. 1340 – Access to District 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)

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

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.

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 district or school 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 district or school 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 – District Police/Security Department)

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

Aarias v. Las Virgenes Unified School District, (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>

Policy Adopted: 02/08/2012

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

COMMENDATIONS AND AWARDS

The Board of Trustees believes that individuals and organizations deserve recognition when they provide contributions or longstanding service to the district. The Board believes that commending such service promotes increased community understanding and participation.

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

The Superintendent or designee shall establish procedures by which Board members, employees or members of the community may suggest persons or organizations for Board recognition. At the Board's discretion, letters of recognition, Board resolutions, plaques or awards may be presented.

The Board encourages similar forms of recognition for achievement or services as part of school-level commendation programs.

(cf. 4156.2 - Awards and Recognition)

(cf. 5126 - Awards for Achievement)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

44015 Awards to employees and students

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

POLITICAL PROCESS

The Board of Trustees has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. To the extent possible, the Board shall be proactive in defining the district's advocacy agenda based on the needs of the district and the direction set forth in the district's vision and goals.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 9000 - Role of the Board)
(cf. 9010 - Public Statements)

The Board may establish reasonable regulations related to Board members and employees engaging in political activity during working hours and on district premises. (Education Code 7055)

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

Legislation

The Board's responsibility as an advocate for the district may include lobbying at the state and national levels.

Because local governments also make decisions which impact the district's schools, the Board and the Superintendent or designee shall work to establish ongoing relationships with city and county officials and agencies, and shall inform them of the potential effect of local issues on the schools.

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 7131 - Relations with Local Agencies)

The Board shall identify issues that will affect its schools and the children in its community, establish goals and priorities for legislative advocacy, solicit community input and adopt legislative positions. The Superintendent or designee shall establish a coordinated plan for carrying out the advocacy agenda, including specific activities, target groups or individuals, staff responsibilities and timelines.

In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members.

As necessary, the Superintendent or designee may draft legislative proposals which serve the district's interests.

Community Relations

The Board may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its legislative advocacy activities. However, the Board shall not urge the public to lobby the legislature on behalf of the district.

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

Ballot Measures/Candidates

The Board may study the potential effect of ballot measures on the district's schools. Any Board discussion of the effect of such measures shall include an opportunity for Board members, staff and members of the public to speak on all sides of the issue. Following such study, the Board may adopt positions in support of or in opposition to ballot measures of importance to education.

The Board's positions shall be publicized only through normal district procedures for reporting Board actions and in a manner that does not attempt to influence voters.

(cf. 9323 - Meeting Conduct)

No district 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)

District resources shall not be used to disseminate campaign literature or to purchase advertisements, bumper stickers, posters or similar promotional items that advocate an election result.

(cf. 1325 - Advertising and Promotion)

The Superintendent or designee may use district 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 district. (Education Code 7054)

In preparing or distributing such information, the Superintendent or designee shall ensure that the totality of the circumstances, including language, style, tenor and timing, does not expressly advocate passage or defeat of a measure or candidate.

The Superintendent or designee may research, draft and prepare a bond measure or other initiative for the ballot, but shall not use district resources to secure signatures in order to qualify the measure for the ballot.

Community Relations

Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the district representative shall not urge a citizens' group to vote for or against the bond measure.

For informational purposes, the Superintendent or designee may conduct a poll related to a ballot issue. Such a poll shall not advocate a particular position on the issue.

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 district may join with other districts or parties in order to challenge the issue through litigation or other appropriate means.

(cf. 9124 - Attorney)

Political Forums

Forums on political issues may be held in district 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

7054 Use of district property

7054.1 Requested appearance

7055 Local rules

7056 Soliciting or receiving political funds

7058 Use of forum

35160 Authority of governing boards

35172 Promotional activities

GOVERNMENT CODE

50023 Attending legislature to support or oppose legislation

53060.5 Attendance at legislative body; expenses

54953.5 Right to record proceedings

54953.6 Broadcasts of proceedings

81000-91015 Political Reform Act

COURT DECISIONS

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

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

League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203

Cal.App.3d 529, 250 Cal. Rptr. 161, rev.den.

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

Community Relations

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

Scherer v. Buchanan, First Appellate District, Civil No. A076648

ATTORNEY GENERAL OPINIONS

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

Management Resources:

OFFICE OF LEGISLATIVE COUNSEL

Advice letter #7837, March 18, 1996 (use of public funds to publicize board positions)

FAIR POLITICAL PRACTICES COMMISSION

FPPC No. 93/345 (1996)

CSBA PUBLICATIONS

Political Activities of School Districts: Legal Issues, 1998

Maximizing School Board Leadership: Community Leadership, 1996

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

CITIZEN ADVISORY COMMITTEE

The Board of Trustees recognizes that citizen advisory committees enable the Board to better understand interests and concerns of the community. The Board shall establish citizen advisory committees as the need arises or as required by law. The purposes of any such committees shall be clearly defined and aligned to the district's vision and goals.

- (cf. 0000 - Vision)
- (cf. 0200 - Goals for the School District)
- (cf. 0420 - School Plans/Site Councils)
- (cf. 0420.1 - School-Based Program Coordination)
- (cf. 0430 - Comprehensive Local Plan for Special Education)
- (cf. 3280 - Sale, Lease, Rental of District-Owned Real Property)
- (cf. 5030 - Student Wellness)
- (cf. 6020 - Parent Involvement)
- (cf. 6171 - Title I Programs)
- (cf. 6174 - Education for English Language Learners)
- (cf. 6175 - Migrant Education Program)
- (cf. 6178 - Vocational Education)
- (cf. 9130 - Board Committees)

Citizen advisory committees shall serve in a strictly advisory capacity; they may make recommendations regarding Board policy, but their actions shall not be binding on the Board. The Board may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time the Board determines it necessary.

The membership of citizen advisory committees should represent the diversity of the community and a diversity of viewpoints. With Board approval, the Superintendent or designee may appoint committee members.

The Superintendent or designee shall provide training and information as necessary to enable committee members to understand the basic administrative structure, program processes, and goals of the committee.

Within budget allocations, the Superintendent or 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 district employees.

- (cf. 3350 - Travel Expenses)

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

- (cf. 2230 - Representative and Deliberative Groups)

Community Relations

BP 1220 (b)

Legal Reference:

EDUCATION CODE

8070 Career technical education advisory committee
11503 Parent involvement program
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, LEP 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, schools receiving funds from economic impact aid or bilingual education act

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

52012 School site council

GOVERNMENT CODE

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

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

SCHOOL-CONNECTED ORGANIZATIONS

(cf. 0200 - Goals for the School District)

(cf. 6020 - Parent Involvement)

The Board recognizes that school-connected organizations are separate legal entities, independent of the district. However, in order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, any school-connected organization that desires to raise money to benefit any district student shall submit a request for authorization to the Board, in accordance with Board policy and administrative regulation. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the district.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 1330 - Use of School Facilities)

(cf. 3452 - Student Activity Funds)

The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program. School-connected organizations may consult with the principal to determine school needs and priorities. Activities by school-connected organizations shall not conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school.

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

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*

COMMUNITY RELATIONS (continued)

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 District 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>

Policy Adopted: 10/14/09

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

VOLUNTEER ASSISTANCE

The Board of Trustees encourages parents/guardians and other members of the community to share their time, knowledge and abilities with students. Volunteer assistance in schools enriches the educational program, enhances supervision of students and contributes to school safety while strengthening the schools' relationships with the community. The Board also encourages community members to serve as mentors providing support and motivation to 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. 6020 - Parent Involvement)
(cf. 6171 - Title I Programs)

The Superintendent or designee shall develop and implement a plan for recruiting, screening and placing volunteers.

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

The Superintendent or designee shall establish procedures to protect the safety of students and adults. These procedures shall include laws related to tuberculosis testing and may also include laws related to criminal record checks.

Volunteers shall act in accordance with district policies, regulations and school rules.

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

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, do not significantly increase maintenance workloads and comply with employee commitments and contracts.

Community Relations

Legal Reference:

EDUCATION CODE

35021 Volunteer aides

35021.1 Automated records check

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

45340-45349 Instructional aides

45360-45367 Teacher aides

49406 Examination for tuberculosis

GOVERNMENT CODE

3100-3109 Oath or affirmation of allegiance

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

3364.5 Persons performing voluntary services for school districts

PENAL CODE

290 Registration of sex offenders

290.4 Information re sex offenders

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 District, 15 Public Employee Reporter for California, 22043

Management Resources:

NATIONAL PTA PUBLICATIONS

National Standards for Parent/Family Involvement Programs, 1997

Building Successful Partnerships: A Guide for Developing Parent and Family Involvement Programs, 2000

WEB SITES

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

National PTA: <http://www.pta.org>

California Partners in Education: <http://www.capie.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

U.S. Department of Education, Partnership for Family Involvement in Education: <http://pfie.ed.gov>

CDE: <http://www.cde.ca.gov>

California Department of Justice, Megan's Law mapping:

<http://www.meganslaw.ca.gov>

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

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 district schools and students. Therefore, the Board of Trustees encourages parents/guardians and interested members of the community to visit the schools and view 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 designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be first arranged with the teacher and principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

(cf. 6116 – Classroom Interruptions)
(Superintendent Operational Memo dated 10-10-11)

All outsiders, as defined in law and administrative regulation, shall register immediately upon entering any school building or grounds when school is in session. (Penal Code 627.2)

(cf. 1112 - Media Relations)

For purposes of school safety and security, the principal or 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 and principal'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 district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code 626.7, the principal or 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 District 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)

Community Relations

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 district student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

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 District, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

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

Policy Adopted: 06/13/2012

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

EDUCATIONAL FOUNDATION

The Board of Trustees recognizes the importance of community support of district programs, including voluntary financial contributions, to assist the district in achieving its goals for student learning.

(cf. 0200 - Goals for the School District)
(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 the educational foundation in determining the purposes for which funds may be used to meet the changing needs of the district and its students. The Board recognizes that an educational foundation is a separate legal entity, independent of the district. However, the foundation is encouraged to provide regular reports to the Board on the status of its work and to communicate ways that the district can help support the foundation's activities.

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

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

The Board supports foundation allocations that serve all district schools equitably.

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

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

Community Relations (continued)

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>

Policy Adopted: 10/14/09

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

COMPLAINTS CONCERNING DISTRICT 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 designee shall develop regulations which permit the public to submit complaints against district 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 Material)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3515.2 - Disruptions)

The Board prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The district 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 district employees or other persons against a pupil at school site (LO:4-93)

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

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

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

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

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

When deliberating upon challenged materials, the Superintendent and/or review committee shall consider the educational philosophy of the district, the professional opinions of teachers of the subject and of other competent authorities, reviews of the materials by reputable bodies, the teacher's stated objectives in using the materials, community standards, and the objections of the complainant.

Complainants are encouraged to accept the Superintendent's or review committee's decision. However, if the complainant finds that decision unsatisfactory, he/she may appeal the decision to the Board.

(cf. 9322 - Agenda/Meeting Materials)

The district's decision shall be based on educational suitability of the materials and the criteria established in Board policy and administrative regulation.

(cf. 6144 - Controversial Issues)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

Complaints related to sufficiency of textbooks or instructional materials shall be resolved pursuant to the district's Williams uniform complaint procedure at AR 1312.4.

Community Relations

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

18111 Exclusion of books by governing board

35010 Control of district; 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>

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

UNIFORM COMPLAINT PROCEDURES

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

Complaints Subject to the UCP

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

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, After School Education and Safety programs, agricultural vocational education, American Indian Education Centers and early childhood education program assessments, bilingual education, peer assistance and review programs for teachers, career technical and technical education and training programs, child care and development programs, child nutrition programs, compensatory education, consolidated categorical aid programs, Economic Impact Aid, English learner programs, federal education programs in Title I-VII, migrant education, Regional Occupational Centers and Programs, school safety plans, special education programs, State Preschool Programs, Tobacco-Use Prevention Education programs, and any other district-implemented program which is listed in Education Code 64000(a)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3550 - Nutrition Program Compliance)

(cf. 5131.62 – Tobacco)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 – Before/After School Programs)

(cf. 5148.3 – Preschool/Early Childhood Education Program)

(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. 6178.2 - Regional Occupational Center/Program)

2. Any complaint alleging the occurrence of unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on his/her actual 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, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220,

UNIFORM COMPLAINT PROCEDURES

Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

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

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

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)
(cf. 3320 – Claims and Actions Against the District)

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, a former juvenile court school student, or a child of a military family as defined in Education Code 49701 who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)
(cf. 6173.2 – Education of Children of Military Families)
(cf. 6173.3 –Education for Juvenile Court School Students)

8. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

UNIFORM COMPLAINT PROCEDURES

9. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

10. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

11. Any other complaint as specified in a district policy

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

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

(cf. 5125 - Student Records)

(cf. 9011 – Disclosure of Confidential/Privileged Information)

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

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

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

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

(cf. 3580 - District Records)

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency

(cf. 5141.4 – Child Abuse and Reporting)

UNIFORM COMPLAINT PROCEDURES

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging fraud shall be referred to the Legal, Audits, and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment.

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with the procedures in AR 1312.4 – Williams Uniform Complaint Procedures. . (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedure

33380-32284 California Indian Education Centers

35186 Williams uniform complaint procedure

44500-44508 California Peer Assistance and Review Program for Teachers

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49069.4 Rights of parents

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51223 Physical education, elementary schools

51225.1 Foster youth, homeless children, former juvenile court school students, and military-connected students; course credits; graduation requirements

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially

52060-52077 Compliant for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career-technical education

52500-52616.24 Adult schools

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

UNIFORM COMPLAINT PROCEDURES

HEALTH AND SAFETY CODE

104420 Tobacco-Use Prevention Education

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6577 Title I basic programs

6801-6871 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

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

CODE OF REGULATIONS, TITLE 34

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample UCP Board Policies and Procedures

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

Dear Colleague Letter: Title IX Coordinators, April 2015

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

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

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

Family Policy Compliance Office: <http://familypolicy.ed.gov>

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

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

Community Relations

INTERPERSONAL RESPECT

Members of the Orcutt School District staff will treat parents and other members of the public with respect and expect the same in return. The District is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/District grounds.

This policy promotes mutual respect, civility and orderly conduct among District employees, parents and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff. In the interest of presenting District employees as positive role models to the children of this District, as well as the community, OUSD encourages positive communication, and discourages volatile, hostile or aggressive actions. The District seeks public cooperation with this endeavor.

Legal References:

EDUCATION CODE

<i>32211</i>	<i>Disturbing school</i>
<i>44014</i>	<i>Assault on personnel</i>
<i>44810</i>	<i>Person on school grounds</i>
<i>44811</i>	<i>Insults and abuses</i>

PENAL CODE

<i>243.5</i>	<i>Arrest on school grounds</i>
<i>415.5</i>	<i>Fighting on school grounds</i>
<i>626.8</i>	<i>Entry of school by person not on lawful business</i>
<i>627.7</i>	<i>Refusal to leave school grounds</i>

<http://www.leginfo.ca.gov/calaw.html>

Policy Adopted: 01/11/2012

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

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 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 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 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)

Community Relations

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>

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

ADVERTISING AND PROMOTION

The Board of Trustees desires to promote positive relationships between schools and the community in order to enhance community support and involvement in district schools. The Superintendent or designee may approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings or other items of interest to students or parents/guardians

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

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6145.5 - Student Organizations and Equal Access)

(cf. 6162.8 - Research)

2. Paid advertisements on school property, including but not limited to billboard advertisements

3. Products and materials donated by commercial enterprises for use in the classroom, as long as they serve an educational purpose and do not unduly promote any commercial activity or products. Such materials may bear the name and/or logo of the donor.

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 6161.11 - Supplementary Instructional Materials)

Prior to distribution or publication, the Superintendent, principal or designee shall review and approve all advertising copy and promotional materials to ensure compliance with Board policy.

The Superintendent, principal or designee may selectively approve or disapprove distribution of materials or publishing of copy based on the criteria listed below, but may not disapprove materials or copy in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that would otherwise be allowed.

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

The use of promotional materials or advertisements does not imply district endorsement of any identified products or services. Schools are encouraged to include a disclaimer in school publications and yearbooks stating that the school does not endorse any advertised products or services.

Community Relations

Criteria for Approval

The Superintendent, principal or designee shall not accept for distribution any materials or advertisements that:

1. Are obscene, libelous or slanderous (Education Code 48907)
2. Incite students to commit unlawful acts, violate school rules or disrupt the orderly operation of the schools (Education Code 48907)
3. Promote any particular political interest, candidate, party or ballot measure, unless such materials are being distributed at a forum in which candidates or advocates from all sides are presenting their views to the students during school hours or during events scheduled pursuant to the Civic Center Act

(cf. 1160 - Political Processes)

(cf. 1330 - Use of School Facilities)

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

4. Discriminate against, attack or denigrate any group on account of any unlawful consideration

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

5. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including but not limited to materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children
6. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy

(cf. 1321 - Solicitation of Funds from and by Students)

7. Distribute unsolicited merchandise for which an ensuing payment is requested.
8. All non-school flyers must contain a clear statement of non-school sponsorship.
9. No distribution shall be made which may promote any commercial or profit-making organization, activity, or product.

The Superintendent or designee also may consider the educational value of the materials or advertisements, the age or maturity of students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students or are of intrinsic value to the students or their parents/guardians.

(cf. 0000 - Vision)

Community Relations

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks. Such criteria may limit advertisements to those that contain congratulatory or commemorative messages, curriculum-related content, advertisements for products or services of interest to students, noncontroversial content, and/or other content deemed appropriate by the school publication staff and adviser in accordance with law and Board policy.

Legal Reference:

EDUCATION CODE

7050-7058 Political activities of school officers and employees

35160 Authority of governing boards

35160.1 Broad authority of school districts

35172 Promotional activities

38130-38138 Civic Center Act

48907 Student exercise of free expression

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

COURT CASES

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623

Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350

Lehman v. Shaker Heights, (1974) 418 U.S. 298

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

USE OF SCHOOL FACILITIES

General Policy

The Board of Trustees encourages the use of any and all school facilities for community activities eligible under the *California Civic Center Act, Education Code Section 38130 et. seq.* Applications for uses not covered by the Civic Center Act shall be rejected.

Use of the school facilities under the *Civic Center Act* shall be available to organizations, including but not limited to, parent-teacher associations, Camp Fire Girls, Boy Scout troops, farmers' organizations, and groups or clubs of students or citizens formed for recreational, educational, political, economic, artistic, or moral activities.

No use of school facilities shall be granted in such a manner as to constitute a monopoly for the benefit of any person or organization, and no privilege of using the building or grounds shall be granted for a period exceeding one year. The Use of Facilities Permit is nontransferable from one organization to another organization.

All permits will be issued for specific rooms and for specific hours. It shall be the responsibility of the organization using the building to see that the unauthorized portions of the buildings are not disturbed.

No privilege of using buildings by groups will be granted:

- On such occasions or during such hours as interfere with the regular functions of the school.
- For a period exceeding one year.
- On January 1 and July 4, Thanksgiving or Christmas.

Use of Playground and Athletic Fields:

Playgrounds shall generally be open and available for community use every day after regular school hours. No use of school grounds shall be granted:

- During hours which interfere with the regular functions of the school (including maintenance of the fields and playgrounds).
- For a period exceeding one year.

The Superintendent or designee is authorized to approve all applications for use of school facilities as provided in the *Civic Center Act*.

The use of products containing tobacco and/or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic nicotine delivery systems, such as electronic cigarettes, electronic hookahs, and other vapor emitting devices, with or without nicotine content, that mimic the use of tobacco products any time, in charter school or school district-owned or leased buildings, on school or district property, and in school or district vehicles is prohibited. However, this section does not

prohibit the use or possession of prescription products, or other cessation aids such as nicotine patches or nicotine gum. Student use or possession of such products must conform to laws governing student use and possession of medications on school property.

Facility Fee Categories

When no admission fees are charged and no contributions are solicited, the use of facilities, with the exception of the gyms, shall be granted free of charge to groups which are directly related to youth attending the Orcutt Union School District. Meetings qualifying under these provisions shall be non-exclusive, open to the public, free of charge, and scheduled on school days to end no later than 9:30 p.m. The conditions under which an organization is charged for use of school facilities are dependent upon the type of organization and the nature of the activities to be conducted. These factors are considered in the following categories:

GROUP FEE CATEGORIES	
CATEGORY A	Organizations that exist to serve youth groups or whose activities are related to Orcutt Union School District age youth shall be allowed to use school facilities (with the exception of gyms) at no cost provided their activities are scheduled on regular school days and end by 9:30 pm. i.e., PTAs, Boy Scouts, 4H, Orcutt Youth Leagues
CATEGORY B	Organizations qualifying for civic center use who are engaged in a fund raising activity shall be required to pay fees under Schedule B which is designed to return direct costs for the use of the facility. i.e., K-12 Educational Institutions, and same groups in Category A.
CATEGORY C	Organizations or groups of adults formed for character building, recreation, educational, scientific, or artistic activities shall pay fees as set forth in Category C which is established at "fair rental value." i.e., Hancock College, Cultural Associations, Community (Church) Pot Lucks
CATEGORY D	Organizations or groups formed for political, economic or religious activities, or other groups not open to the general public, shall pay fees as set forth in Category D which are commercial rates. i.e., Church services, for profit businesses.

Staff and Facility Fee Charges

All charges must be paid in advance. In cases where the exact amount is not known, an adequate deposit will be collected and adjustments made as soon as the exact charge is determined.

Use of the facility may be denied unless the applicant brings a copy of the approved application to the facility on the date of the scheduled activity. School personnel shall not open or allow access to any facilities until such authorization is presented. Staff time rates will be revised annually to reflect costs.

Legal Reference:

Education Code

10900-10914.5

38130-38138

Community Recreation Programs

Civic Center Act: use of school property for public purposes

Court Decisions:

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

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

ACLU of So. Calif. v. Board of Education of San Diego (1961) 55 Cal .2d 906

ACLU of So. Calif. v. Board of Education of Los Angeles (1963) 59 Cal .2d 203

ACLU of So. Calif. v. Board of Education of San Diego (1963) 59 Cal .2d 224

Connell v. Higgenbotham, 1971) 403 U.S. 207, 91 S.Ct. 1772

Cole v. Richardson, (1972) 405 U.S. 676, 92 S.Ct. 1332

Lamb's Chapel v. Center Moriches Union Free School District (1963) 113 S.Ct 2141

Attorney General's Opinion No. 63-248

Policy Adopted: 1/15/2014 ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

ACCESS TO DISTRICT RECORDS

The Board of Trustees recognizes the right of citizens to have access to public records of the district. The Board intends the district to provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of state and federal law.

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act or other statutes.

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3580 – District Records)
(cf. 4112.5/4215.5/4312.5 – Criminal Record Check)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(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)

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

(cf. 4040 – Employee Use of Technology)
(cf. 9012 – Board Member Electronic Communications)

The district 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 designee and as specified in administrative regulation.

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

Legal Reference:

EDUCATION CODE
35145 Public meetings
35170 Authority to secure copyrights
35250 Duty to keep certain records and reports

Community Relations

41020 Requirement for annual audit
42103 Publication of proposed budget; hearing
44031 Personnel file contents and inspections
44839 Medical certificates; periodic medical examination (re access to medical certificate in personnel file)
49060-49079 Pupil Student 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 Public records; inspection and reproduction

CODE OF REGULATIONS, TITLE 5

430-438 Individual pupil records

CALIFORNIA CONSTITUTION

Article 1, Section 3 Right of access to governmental information

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal. 5th 608
Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282
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, 66 Cal. App. 4th 1414 (1998)
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:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

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://oag.ca.gov>
Institute for Local Government: <http://www.cacities.org>
State Bar of California: <http://www.calbar.ca.gov>

Policy Adopted: 11/08/17

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Community Relations

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 designee shall initiate and maintain good working relationships with representatives of these agencies in order to help district 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 - District 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)
(cf. 5145.12 - Search and Seizure)
(cf. 7131 - Relations with Local Agencies)

The district 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 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 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 District Programs and Activities)

Community Relations

The Superintendent or designee shall designate a contact person at each high school for the Secretary of State to contact in order to facilitate the distribution of voter registration forms to eligible students. The Superintendent or designee shall provide the address, phone number, and email address of each contact person to the Secretary of State. (Elections Code 2148)

To encourage students to participate in the elections process when they are eligible, the Superintendent or designee shall determine the most effective means of distributing the voter registration forms provided by the Secretary of State including, but not limited to, distributing the forms at the start of the school year, with orientation materials, at central locations, and/or with graduation materials.

(cf. 6142.3 - Civic Education)

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 districts
- 48902 Notification of law enforcement agencies
- 48909 District 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 district 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>

Community Relations

WAIVERS

The Board of Trustees may request that the State Board of Education waive certain provisions of the Education Code, Title 5 regulations, or the federal law when such provisions prevent the district from offering its students the best possible educational program. The Superintendent or designee, advisory committees, or site councils shall identify the need for the Board to submit waiver requests and shall provide the Board with the necessary information to analyze the need for the waiver.

The Board shall hold a properly noticed public hearing on all waiver requests. (Education Code 33050)

(cf. 9320 - Meetings and Notices)

The Board shall include the exclusive employee representative in the development of the waiver.

(cf. 4140/4240 - Bargaining Units)

If the waiver affects a program that requires the existence of a school site council, the school site council shall first approve the request.

(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 1220 - Citizen Advisory Committees)

For general waivers, the request to the State Board of Education shall include a statement as to whether the exclusive employee representative participated in the development of the waiver and the exclusive employee representative's position on the waiver. General waiver requests shall include a written summary of any objections to the request by the councils or advisory committees. (Education Code 33050)

Legal Reference:

EDUCATION CODE

5000-5033 Governing board elections
8750-8754 Grants for conservation education
10400-10407 Cooperative improvement programs
17047.5 Facilities used by special education students
17291 Portable school buildings
33050-33053 General waiver authority
37202 Equity length of time
41000-41360 School finance
41381 Minimum school day
41600-41854 Computation of allowances
41920-42842 Budget requirements; local taxation by school districts

Community Relations

44520-44534 New program for careers
44666-44669 School-Based Management and Advanced Career Opportunities
44681-44689 Administrator Training and Evaluation
45108.7 Maximum number of senior management positions
48660-48666 Community day schools
48800 Attendance at Community College
49550-49560 Meals for needy students
51224.5 Algebra instruction
51745.6 Charter school independent study ratio
51870-51874 Educational technology
52053-52055.55 Immediate Intervention for Underperforming Schools Program
52055.600-52055.662 High Priority Schools Grant Program
52080-52090 Class size reduction grade 9
52122.6-52122.8 Class size reduction - impacted school sites
52160-52178 Bilingual-Bicultural Education Act of 1976
52180-52186 Bilingual teacher waiver
52200-52212 Gifted and Talented Pupils Program
52340-52346 Career Guidance Centers
52522 Plans for adult education
52850-52863 School-Based Coordinated Program
54000-54028 Disadvantaged Youth Program
54100-54145 Miller-Unruh Basic Reading Program
54407 Waiver for compensatory education programs
56000-56867 Special education programs
58407 Waiver related to individualized instruction program
58900-58928 Restructuring demonstration programs
60119 Public hearing on sufficiency of instructional materials
60422 Instructional materials funding realignment program
CODE OF REGULATIONS, TITLE 5
1032 Academic Performance Index
3100 Resource specialist caseload waivers
3945 Cooperative programs
9531 Instructional materials funding
11960 Charter school attendance
11963.4 Charter school percentage funding
13017 Waivers
13044 Waivers
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
7115 Safe and Drug Free Schools, authorized activities

Management Resources:

WEB SITES

California Department of Education, Waiver Office: <http://www.cde.ca.gov/re/lr/wr>
Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Policy Adopted: 11/8/06

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California