

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

1000

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LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1000

Concepts and Roles

Board Adopted: 9/12/07

The Board of Trustees desires to represent the Loma Prieta 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 system between schools and the community.

Schools, parents/guardians, community members and local organizations shall seek to continually collaborate as partners. The Board and the Superintendent shall work together with Santa Clara County agencies and organizations to promote and facilitate coordinated services for children, and shall seek to develop partnerships with local businesses.

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 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.

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.

Legal Reference: Education Code
 35160 Authority of Governing Boards
 35172 Promotional Activities

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1020

Youth Services

Board Adopted: 9/12/07

The Board of Trustees realizes that the schools alone cannot meet children's complex individual needs. Parents/guardians, schools, local government, businesses, foundations and community-based organizations all must work together to assess needs, improve conditions for our community's youth, and ensure that the multiple services needed by children and families are coordinated so as to avoid gaps, duplication or delay.

The Board shall initiate or participate in collaborative relationships with Santa Clara/**Santa Cruz** County leaders to develop local policies and provide effective multi-agency programs that respond to the needs of children and families.

The Superintendent and staff shall contact and cooperate with public and private agencies to ensure the availability and effective implementation of child care, after-school, nutrition, health and other services for children.

The Board shall advocate for local, state and national policies, legislation and programs designed to provide or better coordinate services for children and families.

The District shall provide support services for children and families to the extent possible.

Legal Reference:

Education Code

35160 Authority of Governing Boards
35160.1 Broad Authority of School Districts
58700-58702 Tutoring and Homework Assistance Program

Welfare and Institutions Code

18961.5 Computerized Data Base; Families At Risk For Child Abuse;
Sharing of Information; Multidisciplinary Teams
18986.2-18986.30 Interagency Children's Services Act, Especially:
18986.11-18986.15 County Interagency Collaboration
18986.40-18986.46 Integrated Children's Services Program

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COMMUNITY RELATIONS

Policy No.: 1050

Volunteer Assistance – Page 1

Board Adopted: 9/12/07

The Governing Board encourages parents/guardians and other members of the community to share their time, knowledge and abilities with our students. Community volunteers in our schools enrich the educational program and strengthen our schools' relationships with homes, businesses, public agencies and private institutions. The presence of volunteers in the classroom and on school grounds also enhances supervision of students and contributes to school safety.

Volunteers shall act in accordance with District policies, regulations and school rules. At his/her discretion, a staff member who supervises volunteers may ask any volunteer who violates school rules to leave the campus. Staff members also may confer with the principal or designee regarding any such volunteers. The Superintendent shall be responsible for investigating and resolving complaints regarding volunteers.

Volunteer maintenance work shall be limited to those projects which 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, meet a specific need, comply with established building and safety codes, do not significantly increase maintenance workloads and comply with employee commitments and contracts.

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.

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

Legal Reference:	Education Code	
	35021	Volunteer Aides
	35021.1	Automated Records Check
	44227.5	Classroom Participation by College Methodology Faculty
	44815	Noncertificated Supervision
	45125	Fingerprinting Requirements
	45340-45349	Instructional Aide Act, Especially:
	45349	Volunteers
	45360-45367	Teacher Aides
	49406	Examination for Tuberculosis
	Government Code	
	3100-3109	Oath or Affirmation of Allegiance
	3543.5	Prohibited Interference with Employee's Rights
	96100-96114	Academic Volunteer and Mentor Service Act of 1992
	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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1050

Volunteer Assistance – Page 2

Board Adopted: 9/12/07

Legal Reference: (cont.)

Penal Code
290.4 Information re Sex Offenders

Code of Regulations, Title 5
18168 Personnel Duties with Infants and Toddlers

Code of Regulations, Title 22
101170 Criminal Record Clearance

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COMMUNITY RELATIONS

Regulation No.: 1050

Volunteer Assistance – Page 1

Board Adopted: 9/12/07

Definitions

Volunteer nonteaching aides may supervise students during lunch and/or breakfast 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.

Volunteer instructional aides 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 whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. An instructional aide need not perform his/her duties in the physical presence of the teacher, but the teacher retains responsibility for the instruction and supervision of students in his/her charge.

Volunteer Facilities Projects

All volunteer facilities projects shall have approximate start and completion dates and must be approved by the principal in advance.

Projects approved by the principal shall also be approved in advance by the Superintendent 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
5. Painting
6. Installation of carpet
7. Installation of playground equipment and benches
8. Installation of sprinkler systems
9. Paving
10. Installation of marquees and signs
11. Tree planting, pruning or removal

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Volunteer Assistance – Page 2

Board Adopted: 9/12/07

The Superintendent shall ensure that the above projects comply with health and safety codes, building codes, fire codes, environmental laws and agreements with employee bargaining units. The District will provide on-site assistance and supervision for such projects, depending upon their complexity and the expertise of the volunteers. Projects shall be inspected upon completion to ensure that the work was done satisfactorily. Electrical, electronic, heating, ventilation, air conditioning, plumbing, welding and structural work must be done by a licensed contractor or performed under the supervision of a skilled District maintenance employee with knowledge of the trade involved.

Workers' Compensation

Unsalaries volunteers shall be considered employees of the District for workers' compensation insurance purposes. If injured while serving as volunteers in the District, they should file workers' compensation insurance forms provided by the District office.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1112

Media Communications – Page 1

Board Adopted: 9/12/07

The Board of Trustees respects the public's right to information and recognizes that the media significantly influences 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.

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

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.

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 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 principal. At their discretion, parents/guardians may instruct their children not to communicate with medial representatives.

In order to protect the privacy and safety of students, a media representative who wished to photograph students on school grounds should first make arrangements with the principal or designee. No full-face photographs of students is allowed without written parent permission.

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

At the direction of the Board, the Superintendent may 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.

Spokespersons designated to speak to the media on behalf of the District include the Board president and Superintendent. Other Board members and staff may be asked by the Superintendent to speak to the media on a case-by-case basis, depending on their expertise on an issue.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1112

Media Communications – Page 2

Board Adopted: 9/12/07

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 shall develop a communications plan to identify communication strategies to be taken in the event of a crisis.

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 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

Attorney General Opinions
95 Ops.Cal.Atty.Gen. 509 (1996)

Court Decisions
Lopez v. Tulare Joint Union High School District (1995) 34 Cal.App.4th 1302

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1113

District and School Web Sites – Page 1

Board Adopted: 9/12/07

To enhance communications with students, parents/guardians, staff, community members and the public at large, the Board of Trustees encourages the development and ongoing maintenance of District and school web sites on the Internet. Web sites shall support the educational vision of the District and shall be consistent with the District's plans for communication and media relations.

The Superintendent shall develop guidelines regarding the content of District and school web sites which shall include standards for the ethical and responsible use of information and technology. These guidelines shall be consistent with law, Board policy and administrative regulations.

District and school web sites shall not include content which is obscene, libelous or slanderous, or which creates a clear and present danger of inciting students to commit unlawful acts on school premises, violate school rules or substantially disrupt the school's orderly operation.

Any links to external sites shall follow the same guidelines applicable to District and school web sites.

The Superintendent shall ensure that copyright laws are not violated in the use of material on District or school web sites.

Content

The Superintendent shall ensure that web site content protects the privacy rights of students, parent/guardians, staff, Board members and other individuals.

No personal information about students or their parents/guardians, including phone numbers, home addresses or email addresses, shall be published on a District or school web page.

Photographs of students shall be used only with written permission from the students' parents/guardians.

Home addresses or telephone numbers of staff members shall not be posted.

District and school web sites shall not post the home address or telephone number of any elected or appointed official without the prior written permission of that individual.

The Superintendent may establish standards for the design of District and school web sites in order to maintain a consistent identity, professional appearance and ease of use.

Staff and students may submit materials for web site publication to the District or school webmaster who shall ensure the content adheres to District guidelines and policies.

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 Communications
	49073	Release of Directory Information

60048 Commercial Brand Names, Contracts or Logos

Legal Reference:

Government Code

6254.21

Publishing Addresses and Phone Numbers of Board Members

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1113

District and School Web Sites

Board Adopted: 9/12/07

Content

District and school web sites shall provide current and useful information regarding District programs, activities and operations. Such information shall be appropriate for both internal and external audiences.

The content of District and school web sites may include, but not be limited to, District or school news, District mission and goals, agendas and minutes of Board of Trustees meetings, policy information, messages from the Board or administrators, information about curriculum and instruction, school calendars, student projects, school clubs and activities, lunch menus, school handbook, educational resources, links to other educational sites and contacts for further information.

The Superintendent shall make the information contained in the School Accountability Report Card accessible on the Internet and shall ensure that such information is updated annually.

Student work or student pictures may be published on a web site provided that both the student and his/her parent/guardian provide written permission. Student work will only include a first name (no student last names will ever be used on District or school web sites). Student pictures will not include any names of students and will always include two or more students in a picture such as a group photograph of students participating in a class activity.

District and school web sites will not contain advertising or direct links to commercial web sites with the exception of programs which have received the approval of the Superintendent.

Students, staff or other individuals may not use the District or school web sites to provide access to their personal web pages or online services.

If any copyrighted material is posted on a District or school web site, the web site shall include a notice crediting the original producer or the material and noting how and when permission to reprint the material was granted.

Security

The web site server shall have security procedures that prohibit unauthorized persons from accessing system level controls or making changes to web site content. To the extent possible, the host computer shall be in a lockable room with restricted access.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1150

Commendations and Awards

Board Adopted: 9/12/07

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

The Superintendent may 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.

Legal Reference:	Education Code	
	35160	Authority of Governing Boards
	35160.1	Broad Authority of School Districts
	44015	Awards to Employees and Students

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1150

Commendations and Awards

Board Adopted: 9/12/07

Any Board of Trustees member, employee, parent/guardian, student or community member may submit the name of an individual or organization to the Superintendent for Board recognition.

Persons proposing the recognition of an individual or organization shall also indicate a suggested type of recognition that may include, but is not limited to, the following:

1. Plaques or awards to be presented at a Board meeting, for providing the District or community with special, unusual or long-term assistance.
2. Board Resolution to be read at a Board meeting, for distinguished service to children and youth.
3. Letter of Recognition to be prepared by the Superintendent on behalf of the Board, for significant achievement and/or service by School/District groups and parent/guardian/community organizations.
4. Receptions and other informal recognition activities.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1160

Political Processes – Page 1

Board Adopted: 9/12/07

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.

The Board may establish reasonable regulations related to Board members and employees engaging in political activity during working hours and on District premises.

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 shall work to establish ongoing relationships with Santa Clara County officials and agencies, and shall inform them of the potential effect of local issues on the schools.

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 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 may draft legislative proposals which serve the District's interests.

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.

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.

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.

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.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1160

Political Processes – Page 2

Board Adopted: 9/12/07

The Superintendent 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.

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

The Superintendent 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.

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.

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 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.

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.

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

8100-91015

Political Reform Act

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1160

Political Processes – Page 3

Board Adopted: 9/12/07

Legal Reference: (cont.)

Attorney General Opinions
73 Ops.Cal.Atty.Gen. 255 (1990)

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

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

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1220

Citizen Advisory Committees

Board Adopted: 9/12/07

The Board of Trustees recognizes that citizen advisory committees enable the Board to better understand the beliefs, attitudes and opinions held by the Loma Prieta community.

The Board shall establish citizen advisory committees to consider school problems and issues as the need arises or when required by law, for example the Budget Advisory Committee. Such 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 committees not required by law at any time.

Advisory committees should include representation from all affected parties. With Board approval, the Superintendent may appoint committee members.

Within budget allocations, the Superintendent 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.

Legal Reference:	Education Code	
	8070	Vocational Education Advisory Committee
	11503	Parent Involvement Program
	35147	School Site Councils and Advisory Committees
	44032	Travel Expense Payment
	44033	Automobile Allowances
	52012	School Site Council
	52065	American Indian Advisory Committee
	52176	Advisory Committees (LEP Program)
	52852	Site Council, School-Based Program Coordination
	54425	Advisory Committees; Compensatory Education
	54444.1-54444.2	Services to Migrant Children; Parent Advisory Councils
	54724	Site Council, Motivation and Maintenance Program
	56190-56194	Community Advisory Committee, Special Education
	62002.5	Continuing Parent Advisory Committees; Schools Receiving Funds From Economic Impact Aid or Bilingual Education Act
	Government Code	
	820.9	Members of Local Public Boards Not Vicariously Liable
	54950-54962	Meetings

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1220

Citizen Advisory Committees – Page 1

Board Adopted: 9/12/07

Committee Charge

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

1. The committee members' names and the procedure to be used in the selection of the committee chairperson and other committee officers
2. The specific charges of the committee, including its topic(s) for study or well-defined area(s) of activity
3. The specific period of time that the committee is expected to serve
4. Legal requirements regarding meeting conduct and public notifications
5. Resources available to help the committee complete its tasks
6. Timelines for progress reports and/or final report
7. Relevant Board of Trustees policies and administrative regulations

Advisory committee members are not vicariously liable for injuries caused by the act or omission of the District.

Committees Subject to Brown Act Requirements

The following citizen advisory committees shall comply with open meeting, notice and public participation requirements of law (the Brown Act):

1. Advisory committees established pursuant to Education code 56190-56194 related to special education.
2. Other committees created by formal Board action

Committees Not Subject to Brown Act Requirements

The following councils and advisory committees are exempted from the Brown Act and must conform with procedural meeting requirements established in Education Code 35147:

1. School site councils established pursuant to Education Code 52012, 52852 or 54724 related to school improvement, school-based program coordination or school-based student motivation and maintenance programs
2. Any advisory committee established pursuant to Education Code 52176 related to programs for students of limited English proficiency

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Citizen Advisory Committees – Page 2

Board Adopted: 9/12/07

3. Any advisory committee established pursuant to Education Code 54444.2 related to migrant education programs
4. Parent advisory committees established pursuant to Education Code 62002.5 related to economic impact aid and bilingual education
5. Committees established pursuant to Education Code 11053 related to parent involvement

Meetings of the above councils or committees shall be open to the public, and 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.

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 group'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 significant effect on District students or employees or that can be resolved solely by providing information.

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.

Any materials provided to a school site council shall be made available to any member of the public upon request.

The Superintendent may create citizen advisory committees to advise the administration; such committees do not report to the Board and are not subject to open meeting laws.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1230

School-Connected Organizations

Board Adopted: 9/12/07

The Board of Trustees recognizes that parents/guardians may wish to organize clubs for the purpose of supporting the educational program and/or extracurricular programs such as athletic teams, debate teams, and musical groups. The Board supports such activities and welcomes parental interest and participation. Parent/guardian clubs shall be especially careful not to seek advantages for the activities they support if those advantages might be detrimental to the entire school program.

The Board requires parent/guardian clubs to have a written statement of purpose and bylaws. The Board recognizes that these organizations are independent of the school or District. In order to protect the District and students, the Superintendent shall establish appropriate controls for the relationship between such organizations and the District.

Groups desiring to be recognized as school-connected organizations shall request authorization from the Board in accordance with conditions established in administrative regulations.

Legal Reference:	Education Code	
	35160	Authority of Governing Boards
	38131	Use of Civic Center by Public
	38134	Groups Which May Use School Facilities Without Charge

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1230

School-Connected Organizations

Board Adopted: 9/12/07

Requests for authorization as school-connected organization shall contain:

1. The name of the organization
2. The date of application
3. Membership quotas or qualifications
4. The names, addresses and phone numbers of all officers
5. A brief description of the organization's purpose
6. A list of specific annual objectives
7. The name of the bank where the group's account will be located and the names of those authorized to withdraw funds
8. The signature of a site administrator who supports the request for authorization
9. Desired 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. Evidence of liability insurance as required by law

Authorization shall be automatically renewed each year. The Superintendent may recommend that authorizations be revoked by the Board if considered necessary.

Any program, fund-raiser or other activity sponsored by parent/guardian clubs shall be authorized and conducted according to Board policy, administrative regulations and school rules. Announcements of events and related parent/guardian permission slips shall clearly indicate that the activity or event is sponsored by the parent/guardian organization, not by the school or District.

Parent/guardian clubs shall not hire District employees without prior approval from the Superintendent.

School-connected organizations shall present the Superintendent an annual financial statement showing all expenditures and all income from fund-raisers. School-connected organizations automatically grant the District the right to audit their financial records at any time, either by District personnel or by a CPA.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1250

Visitors/Outsiders

Board Adopted: 9/12/07

The Board of Trustees encourages parents/guardians and interested members of the community to visit the schools and view the educational program.

To ensure minimum interruption of the instructional program, the Superintendent shall establish procedures which facilitate visits during regular school days. Visits during school hours should be first arranged with the teacher and/or principal, and a reasonable length of time for the visit shall be established by the principal. If a conference is desired, an appointment should be set with the teacher during noninstructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall register in accordance with law immediately upon entering the school building or grounds when school is in session.

For purposes of school safety and security, the Superintendent may design a visible means of identification for visitors while on school premises.

No electronic listening or recording device may be used in a classroom without the teacher and principal's 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)
	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
	Penal Code	
	626-626.10	Schools
	627-627-10	Access to School Premises, Especially:
	627.1	Definitions
	627.2	Necessity of Registration by Outsider
	627.7	Misdemeanors; Punishment

Attorney General Opinions

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1260

Educational Foundation

Board Adopted: 9/12/07

Because demands on the educational system exceed available public funding, the Board of Trustees recognizes that members of the community are often willing to make voluntary contributions that will provide needed additional funds for the District. The Board therefore approves and encourages the creation of an independent educational foundation to actively raise funds that will enhance educational opportunities for our students.

The Board desires to work cooperatively with the foundation in determining the purposes for which funds may be used to meet the changing needs of the District and its students.

The Board supports foundation (grant) allocations that serve the educational needs of District students.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1312

Complaints Concerning the Schools

Board Adopted: 9/12/07

The Board of Trustees believes that the quality of the educational program can improve when the District listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective process.

The Board encourages complainants to resolve problems early and informally whenever possible. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate District procedures. District procedures shall be readily accessible to the public.

Individual Board members do not have authority to resolve complaints. If approached directly with a complaint, however, Board members should listen to the complaint and show their concern by referring the complainant to the Superintendent so that the problem may receive proper consideration.

Legal Reference: Education Code
 35146 Closed Sessions

 Government Code
 950-950.8 Actions Against Public Employees
 54957-54957.8 Closed Sessions

 Code of Regulations, Title 5
 3080 Application of Section 4600-4671
 4600-4671 Uniform Complaint Procedures

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1312.1

Complaints Concerning District Employees

Board Adopted: 9/12/07

The Board of Trustees welcomes public comment on every aspect of District operations, including District employees' performance and attitude. Acting in its legislative capacity, the Board considers community criticisms and suggestions in shaping District policy, designing programs, and establishing District goals. The Board protects employee privacy during open Board meetings by refusing to listen to name-calling, ridicule, or comments regarding employees' private lives. The Board desires that complaints be resolved expeditiously without disrupting the educational process.

As an employer, the Board follows due process and statutory and negotiated procedures when evaluating staff performance, investigating allegations of staff misconduct, imposing appropriate discipline, and recognizing achievement. The Board protects employee privacy by confining Board criticism of employee conduct and attitude to the evaluation and disciplinary processes.

When individual Board members or District personnel are approached with complaints about the District, they may listen to the complaint and demonstrate concern by directing the complaining individual to the guidelines for complaint procedures.

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.

The Board prohibits retaliation against complainants. The Superintendent 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	
	3308.1	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)
	Government Code	
	54957	Closed Session; Complaints re: Employees
	54957.6	Closed Session; Salaries or Fringe Benefits
	Penal Code	
	273	Cruelty or Unjustifiable Punishment of a Child
	11164-11174.3	Child Abuse and Neglect Reporting Act
	Welfare and Institutions Code	
	300	Minors Subject to Jurisdiction of Juvenile Court

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.1

Complaints Concerning District Employees – Page 1

Board Adopted: 9/12/07

The Superintendent shall determine whether a complaint should be considered a complaint against the District and/or an individual employee, and whether it should be resolved by the District's process for complaints concerning personnel and/or other District procedures.

To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against District 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 principal.
3. All complaints related to District personnel other than administrators shall be submitted in writing to the principal 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 principal or central office administrator shall be initially filed in writing with the Superintendent. 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 principal or immediate supervisor to the Superintendent who shall attempt to resolve the complaint to the satisfaction of the person involved within 30 days. Parties should consider and accept the Superintendent's decision as final. However, the complainant, the employee, or the Superintendent may ask to address the Board regarding the complaint.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.1

Complaints Concerning District Employees – Page 2

Board Adopted: 9/12/07

8. Before any Board consideration of a complaint, the Superintendent 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 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.
12. The decision of the Board shall be final.

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1312.2

Complaints Concerning Instructional Materials

Board Adopted: 9/12/07

The Board of Trustees takes great care in the adoption of instructional materials and is aware that all adopted materials may not be acceptable to all students, their parents/guardians or other District residents.

The Superintendent shall establish procedures that will permit proper consideration of any complaints against the use of any instructional materials, including textbooks, supplementary textbooks, library books, and other instructional materials and equipment.

The Board believes the Superintendent and staff are well qualified to consider complaints concerning instructional materials. Complainants are advised to consider and accept the Superintendent's decision as final.

The Board's decision in any such case will be based on educational suitability and will not be influenced by a desire to suppress information or deny students access to ideas with which the Board disagrees.

Legal Reference:	Education Code	
	18111	Exclusion of Books by Governing Board
	35010	Control of District; Prescription and Enforcement of Rules
	60000	Power of Governing Board to Select Instructional Materials
	60040-60047	Content Requirements for Instructional Materials
	60200-60206	Elementary School Material - Selection and Adoption
	60400	Secondary School Textbooks – Selection and Adoption

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.2

Complaints Concerning Instructional Materials – Page 1

Board Adopted: 9/12/07

Complaints concerning the content or type of instructional materials shall be processed under this regulation. Complaints will be accepted only from staff, District residents, or the parents/guardians of children enrolled in a District school. Complaints alleging deficiencies such as lack of access to instructional materials, or textbooks in poor or unusable condition, shall be processed under Regulation 1312.3.

Complaints must be presented in writing to the principal. Complaints regarding printed material must name the author, title and publisher, and identify the objection by page and item numbers. In the case of non-printed material, written information specifying the precise nature of the objection shall be given. The statement must be signed and identified in such a way that a proper reply will be possible.

Individual students may be excused from using challenged materials after the parent/guardian has presented a written complaint. The teacher will then assign the student alternative materials of equal merit. Use of the materials by a class, school or the District, however, shall not be restricted until so directed by the Superintendent.

Upon receiving a complaint, the principal will acknowledge its receipt and answer any questions regarding procedure. The principal will then notify the Superintendent and the teacher(s) involved of the complaint. The Superintendent will determine whether the complaint should be considered on an individual basis.

The use of challenged materials by class, school or District shall not be restricted until final disposition has been made by the appropriated review committee.

A review committee may be formed under the direction of the Superintendent. It shall be composed of a principal and five or more staff members selected by the Superintendent from relevant administrative and instructional areas.

In deliberating challenged materials, the review committee shall consider the educational philosophy of the District; the professional opinions of other 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; and the objections of the complainant.

The review committee 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 and submit it to the Superintendent for final action. The Superintendent shall notify the complainant of his/her decision no later than 60 days after the complaint was filed.

The report of the review committee together with the Superintendent's recommendation may be brought to the Board of Trustees for consideration and final decision.

When any challenged instructional material is reviewed by the District, it shall not be subject to any additional reconsideration for 12 months.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.2

Complaints Concerning Instructional Materials – Page 2

Board Adopted: 9/12/07

County or State-Adopted Material

If the challenged material has been adopted by the Santa Clara County Board of Education, the Superintendent may forward the complaint, without action, to the office of the Santa Clara County Superintendent of Schools for reevaluation and decision.

If the questioned material has been adopted by the State of California, the Superintendent may forward the complaint, without action, to the California Department of Education for reevaluation and decision.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1312.3

Uniform Complaint Procedures – Page 1

Board Adopted: 9/12/07

The Governing Board recognizes that the District is responsible for complying with applicable state and federal laws and regulations governing educational programs.

The District shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination based on actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, or age or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity that receives or benefits from state financial assistance. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, vocational education, child care and development programs, child nutrition programs, special education programs, and federal school safety planning requirements.

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

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis.

The Board prohibits retaliation in any form for participating in complaint procedures; including but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate mediation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

Legal Reference:	Education Code	
	200-262.3	Prohibition of Discrimination
	8200-8498	Child Care and Development Programs
	8500-8538	Adult Basic Education
	18100-18172	School Libraries
	32289	School Safety Plan, Uniform Complaint Procedure
	35186	Alternative Uniform Complaint Procedure
	48985	Notices in Language Other Than English
	49060-49079	Student Records
	49490-49590	Child Nutrition Programs
	52160-52178	Bilingual Education Programs
	52300-52499.6	Vocational Education
	52500-52616.24	Adult Schools

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1312.3

Uniform Complaint Procedures – Page 2

Board Adopted: 9/12/07

Legal Reference:	Education Code (cont.)
	52800-52870 School-Based Coordinated Programs
	54000-54041 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
	56000-56885 Special Education Programs
	59000-59300 Special Schools and Centers
	62000-62005.5 Evaluation and Sunsetting of Programs
	64000-64001 Consolidated Application Process
	Code of Regulations, Title 5
	3080 Application of Section
	4600-4671 Uniform Complaint Procedures
	4900-4965 Nondiscrimination in Elementary and Secondary Education Programs
	Penal Code
	422.6 Interference with Constitutional Right or Privilege
	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, Including
	7114 Local Educational Program, Safety Plans
	7201-7283g Title V Promoting Informed Parental Choice and Innovative Programs
	7301- 7372 Title VI Rural and Low-Income School Programs

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.3

Uniform Complaint Procedures – Page 1

Board Adopted: 9/12/07

Compliance Officers

The Board of Trustees designates the following compliance officer(s) to receive and investigate complaints and to ensure District compliance with law:

Superintendent, Loma Prieta Joint Union Elementary School District
23800 Summit Road
Los Gatos, CA 95030
(408) 353-1101

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

Notifications

The Superintendent shall meet the notification requirements of 5 CCR 4622, including the annual dissemination of District complaint procedures and information about available appeals, civil law remedies and conditions under which a complaint may be taken directly to the California Department of Education. The Superintendent shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies.

Procedures

The following procedures shall be used to address all complaints that allege that the District has violated federal or state laws or regulations governing educational programs as well as addressing issues dealing with insufficient instructional materials, teacher vacancies and misassignment, and emergency or urgent facilities issues. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4632.

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.

1. Filing of Complaint

Any individual, public agency or organization may file a written complaint or alleged noncompliance by the District. A complaint may be filed anonymously. A complainant who identifies himself or herself is entitled to a response if requested. All complaints and responses are public records.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The Complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.3

Uniform Complaint Procedures – Page 2

Board Adopted: 9/12/07

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.

Complaints alleging deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean and safe manner or in good repair and teacher vacancy or misassignment should be filed with the principal of the school or his/her designee. If the complaint involves problems beyond the authority of the school principal, it shall be forwarded to the Superintendent, within ten (10) days of receipt of the complaint.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, District staff shall help him/her to file the complaint.

2. Mediation

Mediation may be available prior to a formal compliance investigation and upon the agreement of the complainant.

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

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

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

3. Investigation of Complaint involving allegations of violations of state/federal law, including discrimination:

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative and the District's representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.3

Uniform Complaint Procedures – Page 3

Board Adopted: 9/12/07

4. Response to Complaints alleging violations of state and/or federal law including discrimination complaints:

Within 60 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the District's investigation and decision, as described in Step #5 below.

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 District's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant.

5. Final Written Decision for complaints involving allegations of state or federal laws including discrimination complaints:

The report of the District's decision shall be in writing and sent to the complainant.

The report of the District's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the District shall arrange a meeting at which a community member will interpret it for the complainant. When 15 percent or more of the students in the school speak a primary language other than English, all notices to parents or guardians regarding the complaint procedures are written in the student's primary language in addition to English.

This report shall include:

1. The findings and disposition of the complaint, including corrective actions, if any
2. The rationale for the above disposition
3. Notice of complainant's right to appeal the decision within 15 days to the California Department of Education, and procedures to be followed for initiating such an appeal
4. For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies
5. A detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.3

Uniform Complaint Procedures – Page 4

Board Adopted: 9/12/07

If an employee is disciplined as a result of the complaint, this report shall simply state that effective action was taken and that the employee was informed of District expectations. The report shall not give any further information as to the nature of the disciplinary action.

6. Appeals to the California Department of Education for complaints involving allegations of violation of state and federal laws including discrimination:

If dissatisfied with the District's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the District's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals.

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the District's decision and must include a copy of the locally filed complaint and the District's decision.

The California Department of Education may directly intervene in the complaint without waiting for action by the District when one of the conditions listed in 5 CCR 4650 exists. In addition, the California Department of Education may also intervene in those cases where the District has not taken action within 60 calendar days of the date the complaint was filed with the District.

7. Procedures for complaints alleging deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean and safe manner or in good repair and teacher vacancy or misassignment:

These procedures shall apply to the following types of complaints:

a. Issues of Sufficiencies or Deficiencies in Instructional Materials shall include:

- 1) A pupil, including an English learner, who does not have standards-aligned textbooks or instructional materials or state adopted or District adopted textbooks or other required instructional materials to use in class.
- 2) A pupil who does not have access to instructional materials to use at home or after school in order to complete required homework assignments. This does not require two sets of textbooks or instructional materials for each pupil.
- 3) Textbooks or instructional materials that are in poor or unusable condition, have missing pages, or are unreadable due to damage.

b. Issues concerning faculty conditions that pose an emergency or an urgent threat to the health and safety of pupils or staff such as:

- 1) Gas leaks.
- 2) Nonfunctioning heating, ventilation, fire sprinklers, or air conditioning systems.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.3

Uniform Complaint Procedures – Page 5

Board Adopted: 9/12/07

- 3) Electrical power failure.
 - 4) Major sewer line stoppage.
 - 5) Major pest or vermin infestation.
 - 6) Broken windows or exterior doors or gates that will not lock and that pose a security risk.
 - 7) Abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff.
 - 8) Structural damage creating a hazardous or uninhabitable condition.
 - 9) Any other emergency conditions that the School District determines appropriate.
 - 10) Emergency facilities needs do not include any cosmetic or nonessential repairs.
- c. Issues concerning teacher vacancy and misassignment such as:
- 1) A semester begins and a certificated teacher is not assigned to teach the class.
 - 2) 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.
 - 3) A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

The principal or Superintendent shall make all reasonable efforts to investigate any problems within his or her authority. The principal or Superintendent shall remedy a valid complaint within a reasonable time period not to exceed thirty (30) working days from the date the complaint was received. The principal or Superintendent shall report to the complainant the resolution of the complaint within forty-five (45) working days of the initial filing.

If the complainant is not satisfied with the resolution of the principal or Superintendent, he/she shall have the right to describe the complaint to the Board of Trustees at a regularly scheduled hearing of the Governing Board. The Board of Trustees shall respond in writing with fifteen (15) days.

If the complainant is not satisfied with the proffered resolution for complaints involving a condition of a facility that poses an emergency or urgent threat as defined in Education Code section 17592.72(c) (1) he/she may file an appeal to the Superintendent of Public Instruction who shall provide a written report to the State Board of Education describing the basis for the complaint, and as appropriate, a proposed remedy for the issues described in the complaint.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.3

Uniform Complaint Procedures – Page 6

Board Adopted: 9/12/07

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the District's complaint procedures. Complaints may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education Before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the District has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

Other Responsibilities

1. Notices in Classrooms:

The District shall post a notice in every classroom notifying the public of the opportunity to file a complaint about the insufficiency of instructional materials, teacher vacancy/misassignment, and the poor repair of school facilities. The notice will include the location at which to obtain a form to file a complaint.

2. Reports

- a. The Superintendent or designee is responsible for submitting a quarterly report to the County Superintendent and the Board of Trustees on the nature and resolution of complaints addressing insufficient instructional materials, teacher vacancies and misassignments, and emergency or urgent facilities issues.
- b. The summaries must be publicly reported on a quarterly basis at a regularly scheduled meeting of the Board of Trustees.
- c. The reports will be considered public records.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.4

Williams Uniform Complaint Procedures – Page 1

Board Adopted: 9/12/07

Types of Complaints

The District shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186)

1. Instructional materials
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or District-adopted textbooks or other required instructional materials to use in class.
 - b. A student does not have access to instructional materials to use at home or after school in order to complete required homework assignments.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

2. Teacher vacancy or misassignment

- a. A semester begins and a certificated teacher is not assigned to teach the class.

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. (Education Code 33126)

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

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)

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.4

Williams Uniform Complaint Procedures – Page 2

Board Adopted: 9/12/07

3. Facilities

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

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

Filing of Complaint

A complaint alleging any condition(s) specified above shall be filed with the principal or designee. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee within 10 working days. (Education Code 35186)

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

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

If a complainant is not satisfied with the resolution of the complaint, he/she may describe the complaint to the Governing Board at a regularly scheduled hearing. (Education Code 36186)

For complaints concerning a facility condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3 above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction. (Education Code 35186)

Complaints and written responses shall be public records. (Education Code 35186)

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.4

Williams Uniform Complaint Procedures – Page 3

Board Adopted: 9/12/07

Reports

The Superintendent or 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)

Forms and Notices

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

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

Legal Reference:	Education Code	
	1240	County Superintendent of Schools, Duties
	17592.72	Urgent or Emergency Repairs, School Facility Emergency Repair Account
	33126	School Accountability Report Card
	35186	Alternative Uniform Complaint Procedure
	60119	Hearing on Sufficiency of Instructional Materials
	Code of Regulations, Title 5	
	4600-4671	Uniform Complaint Procedures

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Exhibit No.: 1312.4

Williams Uniform Complaint Procedures

Board Adopted: 9/12/07

NOTICE TO PARENTS/GUARDIANS: COMPLAINT RIGHTS

Parents/Guardians:

Education Code 35186 requires that the following notice be posted in your child's classroom:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each student, including English learners, must have a textbook or instructional material, or both, to use in class and to take home to complete required homework assignments.
2. School facilities must be clean, safe, and maintained in good repair. Good repair means that the facility is maintained in a manner that assures that it is clean, safe and functional as determined by the Office of Public School Construction.
3. To file a complaint regarding the above matters, complaint forms can be obtained at the principal's office, District office, or can be downloaded from the school District's or California Department of Education's website.

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

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

Name: _____

Address: _____

Phone Number: Day: _____ Evening: _____

Issue(s) of the complaint: Please check all that apply:

1. Textbooks and instructional materials:
 A student lacks textbooks or instructional materials to use in class.
 A student does not have access to instructional materials to use at home or after school to complete homework assignments.
 Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
2. Teacher vacancy or misassignment:
 A semester begins and a certificated teacher is not assigned to teach the class.
 A teacher lacks credentials or training to teach English learners or is assigned to teach a class with more than 20% English learners in the class.
3. Facilities:
 Facilities are not clean, safe and/or maintained in good repair.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.5

Nondiscrimination Complaint Procedures (Section 504 of the Rehabilitation Act) – Page 1

Board Adopted: 9/12/07

Complaints may be filed by employees, employee groups, students, parents or guardians acting on behalf of the student, a student group, or individuals or groups acting on a student's behalf with written consent regarding allegations of discrimination based on a handicapping condition (Section 504 of the Rehabilitation Act).

It is desirable that problems and complaints of alleged discrimination brought by students, employees, parents, or other members of the community be resolved in a prompt and equitable manner. If possible, such problems and complaints should be resolved in an informal manner as provided herein.

Retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or any participation in the complaint procedure is prohibited.

In the event a complaint is filed against the District based on allegations of discrimination, the following procedures shall be followed:

Informal Level:

The complainant will first meet with the person or persons immediately involved in an attempt to informally resolve the complaint.

Level One: Written Complaint To Principal/Supervisor

If the complaint is not resolved as a result of the informal meeting, the complainant may file a written Level I Formal Written Complaint with the school. The school principal shall attempt to resolve the complaint in a manner acceptable to the complainant. The response shall be forwarded to the complainant in writing within thirty days, unless extended by consent of the complainant.

Level Two: Written Complaint to District's 504 Coordinator

If the complainant is not satisfied with the written response from the school principal, the complainant may file a Level Two Formal Written Complaint with the District's 504 Coordinator. The District's 504 Coordinator shall meet with the complainant in an attempt to resolve the complaint in a manner acceptable to all parties. The District's 504 Coordinator shall respond to the complainant in writing within thirty (30) days, unless extended by consent of the complainant.

Level Three: Written Complaint to Superintendent

In the event the complainant is not satisfied with the District 504 Coordinator's response, the complainant may file a Level Three Formal Written Complaint with the Superintendent. The Superintendent shall investigate as appropriate following the same procedure in Level Two.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1312.5

Nondiscrimination Complaint Procedures (Section 504 of the Rehabilitation Act) – Page 2

Board Adopted: 9/12/07

Level Four: Written Complaint to Board of Trustees

In the event that the complaint cannot be resolved at Level Three, the complainant may request a hearing before the District Board of Trustees. At the hearing, the complainant will have the right to present and question all relevant evidence and witnesses, and be represented by counsel. The complainant must request a hearing within ten working days after receiving the decision of the Superintendent at Level Three. The Board shall schedule the hearing at its next meeting following the receipt of the request. The Board shall render a decision within ten (10) working days after the hearing. The decision of the Board shall be final.

Miscellaneous:

1. Failure to exhaust remedies at each level, or follow specified timelines, maybe considered an abandonment of the grievance. In the event the District fails to provide written findings at any step within the time limits prescribed, the complainant shall have the right to proceed immediately to the next level.
2. In the event the complaint is against the individual responsible for following the complaint procedure at any level, the complainant can address the complaint directly to the next level.
3. The existence of this District complaint procedure does not affect the right of an individual or group to file a Federal complaint directly with the Office for Civil Rights, Department of Education.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1321

Solicitation of Funds From and By Students

Board Adopted: 9/12/07

Solicitations on Behalf of Charitable Organizations

The Board of Trustees recognizes that participation in fund-raising for nonprofit, nonpartisan charitable organizations can help students develop a sense of social responsibility.

When approved in advance by the Board, funds may be solicited or materials distributed for those nonprofit, nonpartisan organizations that are properly chartered or licensed by state or federal law.

Solicitations on Behalf of the School

With the approval of the principal, official school-related organizations may organize fund-raising events involving students.

The principal shall ensure that parents/guardians are informed of the purpose of all fund-raisers benefiting the school or school groups. After the fund-raiser is held, the principal shall inform parents/guardians how much money was raised and how it was spent. Parents/guardians shall be encouraged to offer their suggestions for the use of money raised to improve school facilities or to finance supplementary educational experiences.

All Solicitations

Whether solicitations are made on behalf of the school or on behalf of another charitable organization, the Board particularly desires that no students shall be made to feel uncomfortable or pressured to provide funds. Staff is expected to emphasize the fact that donations are always voluntary. No students shall be barred from an activity because they did not participate in fund-raising.

Legal Reference:	Education Code	
	51520	Prohibited Solicitations on School Premises (Except Such Nonpartisan, Charitable Organizations)
	51521	Unlawful Solicitations of Contribution or Purchase or Personal Property for Benefit of Public School or Student Body; Exception
	Business and Professions Code	
	17510-17510.7	Charitable Solicitations
	Revenue and Tax Code	
	6361	Sales Tax Exemption For Certain Sales
	Code of Regulations, Title 8	
	11706	Dangerous Activities and Occupations

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1330

Use of School Facilities – Page 1

Board Adopted: 9/12/07

The Board of Trustees recognizes that District facilities are a community resource whose primary purpose is to be used for school programs and activities. The Board authorizes the use of school facilities by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

School District Use Has Precedence

School District or school related use of facilities shall take precedence over all other use. When the school District requires the use of a previously scheduled District facility, every effort will be made to notify the scheduled group at least two weeks prior to the pre-empted use. Should the school District have an emergency need to use a scheduled facility, at least 72 hours notice will be given whenever possible.

Supervision by School Personnel

Any use of the facilities or the Loma Prieta Joint Union Elementary School District is contingent upon the presence of a duly authorized employee or designee whose duty it is to open, exercise supervision over and close such facilities. Unless special arrangements are made in advance, no organization shall be approved for the use of school facilities on weekends or after the hour of 10:00 p.m.

Membership Residence Requirements

School facilities are for the use of Loma Prieta Joint Union Elementary School District residents, and are not intended for use by groups whose membership is comprised of less than 50% District residents. It shall be the responsibility of the organization requesting use to provide a membership list verifying the residence of its members.

Limitations on Usage

In order that facilities remain open for broad community use, and to insure that no group use constitute a monopoly, no organization or individual shall be authorized to use any District facilities regularly more than two nights per week. In the event there are no other applications for the use of a facility two weeks prior to the requested use, an organization may be authorized to use a facility on a week-by-week basis in excess of the two allowed usages per week.

Legal Reference: Education Code
 10900-10914.5 Community Recreation Programs
 38130-38138 Civic Center Act: Use of School Property for Public Purposes

Attorney General Opinions
79 Ops.Cal.Atty.Gen. 248 (1996)

Court Decisions
Lamb's Chapel v. Center Moriches Union Free School District (1993) 113 S.Ct. 2141
Cole v. Richardson (1972) 405 U.S. 676, 92 S.Ct. 1332
Connell v. Higgenbotham (1971) 403 U.S. 207, 91 S.Ct. 1772

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1330

Use of School Facilities – Page 2

Board Adopted: 9/12/07

Legal Reference: Court Decisions (cont.)
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 (1961) 55 Cal.2d 906
ACLU of So. Calif. v. Board of Education of Los Angeles (1961) 55 Cal.2d 167

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1330

Use of School Facilities - Page 1

Board Adopted: 9/12/07

Scheduling Facilities

All use of school facilities is to be scheduled by the Loma Prieta Joint Union Elementary District Office, 23800 Summit Road, Los Gatos, CA 95030.

Insurance Requirements

The use of school district facilities shall be conditioned upon the user agreeing to hold the Loma Prieta Joint Union Elementary School District, its Board of Trustees, the individual members thereof and all District officers, agents and employees free and harmless from any loss, damage, liability, cost or expense that may arise out of or be caused in any way by such use or occupancy of school property, and shall also provide an "additional named insured: endorsement naming the District. Users of District facilities shall furnish a "certificate of insurance: indicating current insurance coverage.

Application Process

Applications for facility usage are available from, and are returned to, the appropriate secretary at the Loma Prieta Joint Union Elementary School District offices. Application is not to be made at individual schools.

Applications will be accepted beginning July 25 for annual, semester or limited use. Such applications will be acted upon by August 25. After that date, all applications will be processed within five working days.

Specific Rooms

All permits will be issued for specific rooms and for specific hours. It shall be the responsibility of the organization to see that unauthorized portions of the building are not abused and premises are vacated as scheduled. Organizations are liable for additional fees if the premises are not vacated as scheduled.

Church Use

Churches, religious groups and sectarian organizations with no suitable meeting place may occasionally use District facilities for religious services. A charge shall be made for each use.

Supervision of Children

All juvenile organizations or groups seeking use of school premises must have adult sponsorship and supervision.

Damage to Property

School property must be protected from damage and mistreatment and ordinary precautions and cleanliness maintained. Groups shall be responsible for the condition in which they leave the school building or grounds. In cases where school property has been damaged, abused or littered beyond normal wear, charges will be made equal to the amount required for cleaning or repair.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1330

Use of School Facilities - Page 2

Board Adopted: 9/12/07

District Supervision of Use

Use of school property shall be under the supervision and control of a duly authorized representative of the school district. It shall be his duty to see that these rules and regulations are enforced and report any violations or attempted violations to the Superintendent.

Use of Stage

Persons or organizations using school premises that include a stage and stage equipments shall not be permitted to move or change furniture or equipment (including lights, the switchboard hookup, curtains or the counterweight system) except under the direction and supervision of the custodian in charge. (Any additional props used shall be flame proofed as required by law.)

Use of Multipurpose Room

In cases involving the use of multipurpose room, the number of persons admitted shall not exceed the authorized room capacity.

Restricted Activities

Gambling shall not be permitted.

No alcoholic beverages, intoxicant or controlled substance in any form shall be brought onto the property of the District. Any person under the influence of intoxicating liquors or substances shall be denied participation in any activity. Violation of this regulation shall be justification for immediate termination of the event, closing of the facility and denial of future use requests.

District policy prohibits smoking or other use of tobacco products at all times in District buildings, playgrounds or fields.

Permission must be requested of the Loma Prieta Joint Union Elementary School District before bringing any large equipment, motor vehicles or other facilities upon any school grounds, and before any change or construction is undertaken.

No structures, electrical modifications or mechanical apparatus may be erected or installed on District property without specific written approval by the District representative approving the Application for Use of School Facilities. Persons and organizations granted the use of District facilities shall assume full responsibility for compliance with all applicable State and local fire, health and safety laws and regulations.

All draperies, hanging, curtains, drops and all decorative materials used with or upon the District's buildings and grounds, shall be made or treated with flame-retardant process approved by the State Fire Marshall.

District Right to Revoke Permitted Use

The Superintendent and/or the Board shall have the right to revoke permission for use of a school facility at

any time.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1340

Access to District Records – Page 1

Board Adopted: 9/12/07

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. Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.

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 and as specified in administrative regulation.

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

Legal Reference:	Education Code	
	35145	Public Meetings
	35170	Authority to Secure Copyrights
	35250	Duty to Keep Certain Records and Reports
	42103	Publication Of Proposed Budget; Hearing
	44031	Personnel File Contents and Inspection
	44839	Medical Certificates; Periodic Medical Examination (re Access to Medical Certificate in Personnel File)
	49060-49070	Pupil Records
	49091.10	Parental Review of Curriculum and Instruction
	52015	Ongoing Evaluation and Modifications of School Improvement Plans
	52015.5	Availability of Information Required by Education Code 52015(g)
	52850	Applicability of Article (School-Based Program Coordination Plan Availability)
	Government Code	
	3547	Proposals Relating to Representation
	6250-6268	California Public Records Act
	53262	Employment Contracts
	54957.5	Agendas and Other Writings Distributed for Discussion or Consideration
	81008	Public Records; Inspection and Reproduction
	California Code of Regulations, Title 5	
	430-438	Individual Pupil Records
	Attorney General Opinions	
	71 Ops.Cal.Atty.Gen. 235 (1988)	
	64 Ops.Cal.Atty.Gen. 186 (1981)	

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1340

Access to District Records – Page 2

Board Adopted: 9/12/07

Legal Reference: (cont.)

Court Decisions

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1340

Access to District Records - Page 1

Board Adopted: 9/12/07

Records Open to the Public

Public records include any writing containing information relating to the conduct of the District's business prepared, owned, used or retained by the District regardless of physical form or characteristics.

A member of the public includes any person, except a member, agent, officer or employee of the District acting within the scope of his/her office or employment. Board of Trustees members are entitled access to public records permitted by law in the administration of their duties, and, as to other public records, in the same basis as any other person.

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

1. The proposed and approved budgets
2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins
5. Minutes of public meetings
6. Meeting agendas
7. Official communications between governmental branches
8. School-based program plans
9. Information and data relevant to the evaluation and modification of school improvement plans
10. Initial proposals of exclusive employee representatives and of the District
11. Tort claims filed against the District records pertaining to pending litigation which predate the filing of the litigation, unless protected by some other provision of law
12. Statements of economic interests required by the Conflict of Interest Code
13. Contracts of employment and settlement agreements

Confidential Records

Records to which the general public shall not have access include but are not limited to:

1. Preliminary drafts, notes, interdistrict or intradistrict memoranda which are not retained by the District in the ordinary course of business, provided that the public interest in withholding these

records clearly outweighs the public interest in disclosure

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1340

Access to District Records - Page 2

Board Adopted: 9/12/07

2. Records specifically prepared for litigation to which the District is a party or to claims made pursuant to the Tort Claims Act, until the pending litigation or claim has been finally adjudicated or otherwise settled, unless the records are protected by some other provision of law
3. Personnel records, medical records, student records, personal correspondence, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy

The home addresses and home telephone numbers of employees may be disclosed only as follows:

- a. To an agent or family member of the individual to whom the information pertains
 - b. To an officer or employee of a state agency or another school district 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
 - d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to District employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents
4. Test questions, scoring keys and other examination data except as provided by law
 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 District 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
 6. Information required for 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
 7. Library circulation records kept for the purpose of identifying the borrower of items available in the library
 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
 9. Recall petitions for the reorganization of school districts
 10. The minutes of Board meetings held in closed session

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1340

Access to District Records - Page 3

Board Adopted: 9/12/07

11. Computer software developed by the District
12. Written instructional textbooks or other materials for which providing a copy would infringe a copyright or would constitute an unreasonable burden on the operation of the District
13. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

Inspection of Records and Requests for Copies

Public records are open to inspection at all times during District office hours. Any reasonably segregable portion of a record shall be made available for inspection by every person requesting the record after deletion of the portions that are exempted by law.

Every person may request a copy of any District record open to the public and not exempt from disclosure.

Within 10 days of receiving any request for a copy of records, the Superintendent shall determine whether the request seeks copies of disclosable public records in the District's possession. The Superintendent shall promptly inform the person making the request of his/her determination and the reasons for the decision.

In unusual circumstances, the Superintendent may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances means the following, but only to the extent reasonably necessary to properly process the request

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office
2. The need to search for, collect and appropriately examine a voluminous amount of separate and District records which are demanded in a single request
3. The need for consultation, which shall be conducted with a practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the District having substantial subject matter interest therein
4. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state estimated date and a time when the records will be made available.

Upon request for a copy that reasonably describes an identifiable records, an exact copy shall be promptly provided unless it is impracticable to do so.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1340

Access to District Records - Page 4

Board Adopted: 9/12/07

The Superintendent shall charge an amount for copies that reflects the direct costs of duplication. Requests to waive the fee shall be submitted to the Board.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Regulation No.: 1340

Access to District Records - Page 5

Board Adopted: 9/12/07

If any person requests a public record to be provided in an electronic format, the District shall make that record available in any electronic format in which it holds the information the information. The District shall provide a copy of the electronic record in the format requested so long as the requested format is one that has been used by the District to create copies for its own use or for use by other agencies.

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:

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 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 shall do all of the following:

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 is still unable to identify the information, Item #1 above will 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.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1400

Relations Between Other Governmental Agencies and The Schools

Board Adopted: 9/12/07

The Board of Trustees recognizes that agencies at all levels of government share its concern and responsibility for the welfare, health and safety of youth. The Board and District staff shall take every opportunity to work cooperatively with these agencies for the benefit of our students. The Superintendent shall initiate and maintain good working relationships with representatives of these agencies in order to help our schools and students make use of the resources that governmental agencies can provide.

The District may enter into agreements with other agencies that involve the exchange of funds or reciprocal services. Such agreements shall be approved by the Board and executed in writing.

Legal Reference:	Education Code	
	10900-10941.5	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 Recreational Facilities
	32001	Fire Alarms and Drills
	35160	Authority of Governing Bonds
	35160.1	Broad Authority of School Districts
	48902	Notification of Law Enforcement Agencies re Student Violations
	48909	District Attorney May Give Notice re Student Drug Use, Sale or Possession
	49305	Cooperation of Police and California Highway Patrol (Re Safety Patrols)
	49402	Contracts with City, County or Local Health Departments
	49403	Cooperation in Control of Communicable Disease and Immunizations
	51202	Instruction in Personal and Public Health and Safety (re Fire Prevention)
	Elections Code	
	12283	Disclosure of Information re Minors by Law Enforcement Agency
	Welfare and Institutions Code	
	828	Disclosure of Information re Minors by Law Enforcement Agency
	828.1	School District Police Department; Disclosure of Juvenile Criminal Records

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

COMMUNITY RELATIONS

Policy No.: 1431

Waivers – Page 1

Board Adopted: 9/12/07

When certain provisions of Education Code or 5 CCR prevent the District from offering its students the best possible educational program, the Board of Trustees may request the State Board of Education to waive these provisions. District administrators, staff, advisory committees, and councils shall identify the need for waiver requests and provide the Board information needed to make the waiver request.

General Waiver Requests

The Board shall hold a properly noticed public hearing on all general waiver requests.

The Board shall include the exclusive employee representative in the development of the waiver and shall seek the participation of appropriate councils or advisory committees.

A waiver request must 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. Waiver requests shall include a written summary of any objections to the request by the councils or advisory committees.

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

Specific Bond Waiver Requests

The Board shall hold a properly noticed public hearing on all specific waiver requests when required by law or when the Board desires community participation in the development of the waiver.

The Board shall include the exclusive employee representative, school site council, advisory committees and councils in the development of specific waivers when required by law or when affected by the waiver request.

The Board may grant, in whole or in part, any request for waiver when the facts indicate that failure to grant the waiver would hinder the implementation of the student's individualized education program or compliance by a District, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.

Legal Reference:	Education Code	
	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
	41000-41360	School Finance
	41381	Minimum School Day
	41600-41854	Computation of Allowances
	41920-42842	Instructional Television; Guaranteed Yield Program; Financial Statements of School Districts; Budget Requirements; Local

Legal Reference:	Education Code (cont.)
	Taxation By School Districts
44520-44534	New Program for Careers
44666-44669	School-Based Management and Advanced Career Opportunities for Classroom Teachers Programs
44670.1-44671.5	Local Staff Development Program
44681-44689	Administrator Training and Evaluation
45108.7	Maximum Number of Senior Management Positions
51870-51874	Educational Technology
52000-52049	School Improvement Plans
52033	Waiver on Request of School Site Council
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
52850-52863	School-Based Coordinated Program
5400-54041	Disadvantaged Youth Program
54100-54145	Miller-Unruh Basic Reading Program
54407	Waiver for Compensatory Education Programs
54665	Waiver for Dropout Prevention Program
54720-54734	School-Based Pupil Motivation and Maintenance
56000-56885	Special Education Programs
58407	Waiver Related to Individualized Instruction Program
58603	Waiver for Compensatory Education Programs
58900-58928	Restructuring Demonstration Programs
	Code of Regulations, Title 5
3100	Resource Specialist Caseload Waivers
13017	Waivers
13044	Waivers
	United States Code, Title 20
1400-1487	Individuals with Disabilities in Education Act