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*Please Note: For complaint procedures regarding District employees, please see Policy #1312

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FUNCTIONS OF THE BOARD OF TRUSTEES

Public Education in the United States is legally a function of the several states. Local school districts have been created as agencies through which the State exercises the education function. School Board members are, therefore, Agents of the State and Representatives of the people of the School District in all matters pertaining to the organization and administration of public schools. The State of California, through its Legislature and the State Department of Education, has prescribed a mandatory program of education to insure a minimum of educational opportunities for all the children of all the people. Through permissive Legislation, it is possible for local districts to develop educational services in addition to the mandatory legal requirements. This concept of the legal basis of public school organization and control is one of the unique features of our democratic form of government. It has insured the active interest in and direct control of the public schools by the people. It has also made it possible for the people of each community to provide the kind and amount of education which has seemed best suited to meet local needs and conditions.

In the discharge of their duties, school board members act as a whole and not as individuals. As an individual, the school board member has no legal authority. Apart from his status as a member of the board, the individual has no more authority over school policies or school personnel than any other citizen. The individual member has no legal or moral right to speak for the school board unless specifically authorized to do so by action of the board.

The primary functions of the board are:

1. To determine and interpret the educational needs of the community.
2. To establish educational goals and standards.
3. To monitor and evaluate the progress of students.
4. To appraise continuously the efficiency of the school personnel and procedures in terms of value rendered to the pupils and to the community.
5. To adopt and administer a school budget sufficient to meet the adopted goals of the district.
6. To develop policies in accordance with the law and the educational needs of the community.
7. To assume responsibility for keeping the people of the school district informed concerning the purposes, values, achievements, requirements, and financial conditions of their schools.

FUNCTIONS OF THE BOARD OF TRUSTEES(Continued)

8. To perform all of the duties required by law of the Board of Trustees.
9. To select a Superintendent of Schools.
10. To employ candidates for positions in the school system upon recommendation of the Superintendent.

BOARD GOVERNANCE STANDARDS

The Dixie School District Board of Trustees believes that its primary responsibility is to act in the best interests of every student in the district. The Board also has major commitments to parents/guardians, all members of the community, employees, the State of California, laws pertaining to public education, and established policies of the Dixie School District. To maximize Board effectiveness and public confidence in district governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The Individual Trustee

The Board expects its members to work with each other and the Superintendent to ensure that a high-quality education is provided to each student. Each individual Board members shall:

1. Keep learning and achievement for all students as the primary focus.
2. Value, support, and advocate for public education.
3. Recognize and respect differences of perspective and style on the Board and among staff, students, parents, and the community.
4. Act with dignity and understand the implications of demeanor and behavior.
5. Keep confidential matters confidential.
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader.
7. Understand the distinctions between Board and staff roles, and refrain from performing management functions that are the responsibility of the Superintendent and staff.
8. Understand that authority rests with the Board as a whole and not with individuals.

The Board

Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the Board shall have a unity of purpose and:

1. Keep the district focused on learning and achievement for all students.
2. Communicate a common vision.
3. Operate openly, with trust and integrity.
4. Govern in a dignified and professional manner, treating everyone with civility and respect.
5. Govern within Board-adopted policies and procedures.
6. Take collective responsibility for the Board's performance.

BOARD GOVERNANCE STANDARDS

The Board (cont'd.)

7. Periodically evaluate its own effectiveness.
8. Ensure opportunities for the diverse range of views in the community to inform Board deliberations.

***Note – For additional information, please see:
Policy No. 2121, Superintendent Governance Standards
Policy No. 9000, Role of the Board***

Legal References:

Education Code Sections:

- 35010, Power of governing board to adopt rules for its own governance
- 35160, Board authority to act in any manner not conflicting with law
- 35164, Actions by majority vote

Government Code Sections:

- 1090, Financial interest in contract
- 1098, Disclosure of confidential information
- 1125-1129, Incompatible activities
- 54950-54963, The Ralph M. Brown Act
- 87300-87313, Conflict of interest code

CSBA Publications:

- CSBA Professional Governance Standards, 2000
- Maximizing School Board Leadership: Boardsmanship, 1996

First Reading: December 10, 2002
Adopted: January 14, 2003

PHILOSOPHY OF EDUCATIONMISSION STATEMENT

The mission of the Dixie School District is to provide a kindergarten through eighth grade system of education which will graduate students with the necessary skills, knowledge and attitudes to live rewarding and productive lives in a rapidly changing world. This entails a solid and broad based academic foundation, an appreciation of the arts, respect and tolerance of individual and cultural differences and an understanding of the importance of personal and civic responsibility.

The Dixie School District shall challenge students to achieve the highest standards possible, individual excellence, not adequacy, shall be the standard for student achievement.

In fulfilling this mission, the goal of the Dixie School District is to produce students who become productive and contributing citizens of their community, their country and the world.

PHILOSOPHY OF EDUCATION

This statement describes the purpose of the Dixie School District. It is intended to serve as the foundation for the development of specific goals, priorities, policies and programs.

1. In partnership with families and the larger community, we in the school community will dedicate ourselves to the education of children who will become productive and responsible members of our society, committed to the values of individual responsibility and community service. We shall seek to provide children with:
 - ! Intellectual tools and skills to pursue knowledge independently
 - ! Social skills to function and succeed in social and professional environments
 - ! A level of self-knowledge to enable ongoing emotional growth
2. Our primary responsibility is to teach academic skills. We believe that language arts, mathematics, social studies, science, music, art, foreign languages, health, and physical education are all necessary components of a K-8 education.
3. The Dixie schools should be used as centers for learning as well as for constructive interaction and community building among our families and neighborhoods.

4. The Dixie school community shall work to develop and maintain a partnership with the parents and community at large. This partnership includes the voters, service providers, and community leaders. Out of this partnership shall emerge guidelines for this provision of resources, programs and services according to the appropriate roles, capabilities, and resources of each entity. These guidelines shall be reviewed and revised periodically.

GUIDING PRINCIPLES

Dixie District will provide an environment in which students can learn, be challenged, and have opportunities for success. Each child's uniqueness and individual needs will be recognized and celebrated. The Dixie District will be a community where all people encourage, respect, and acknowledge each other as valued individuals and ongoing learners. We will strive to act towards children, parents, and colleagues in ways that reflect the best values of our community - with respect, concern for others, commitment to an ideal of service and individual responsibility. Excellence not adequacy, shall be the standard against which performance is measured. The following statements summarize specific values meant to guide decision making throughout the District:

STUDENTS

1. All children can be educated.
2. Learning and developmental differences among children are recognized and respected.
3. Children and adults are entitled to function in a safe and caring environment.
4. All children are entitled to an equal educational opportunity.
5. Service to and by the student community is encouraged and supported.
6. Diversity is viewed as a strength on which to build tolerance and better understanding of others.
7. Learning requires effort and commitment on the part of students.
8. Students learn best with the support and participation of their families.

STAFF

1. The continuing improvement of the quality of education is the responsibility of all employees.
2. Employees shall be treated fairly and with dignity.
3. Diversity is a strength.
4. The dignity of each individual in the school district is recognized and respected.
5. Rules, regulations, policies, and procedures shall be just, fair, rational and appropriate.
6. Professional and personal growth are encouraged and opportunities for such growth are provided when possible.
7. Teamwork and collaboration among staff members is encouraged.

LEADERSHIP

1. Decision making processes shall include input from all major stakeholders.
2. Professional knowledge, experience, and expertise shall be sought and respected.
3. Sound decision making requires solid information. Individual performance and educational programs will be assessed regularly.
4. Dixie recognizes that its financial resources are finite and that the District has a responsibility to live within its means. The District's primary mission of education shall be the driving force behind all decisions allocating resources.

EXPECTATIONS

In preparing our graduates, it is our goal that they will:

- Be well prepared academically to continue their education
- Be positive contributing members of society
- Recognize the joy of life
- Have high self esteem
- Be socially conscious
- Be responsible risk takers
- Be effective problem solvers
- Value aesthetics
- Be technologically literate
- Be critical thinkers
- Be environmentally responsible

Adopted: 3/23/77
Reviewed: 9/27/78
Revised: 6/23/82
Revised: 7/19/94

DIXIE SCHOOL DISTRICT

POLICY 0460

LOCAL CONTROL ACCOUNTABILITY PLAN

The Governing Board desires to ensure the most effective use of available state funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions aligned with state and local priorities and to facilitate continuous improvement of district practices.

The Board shall adopt a district wide local control and accountability plan (LCAP), using the template provided by the State Board of Education, which addresses the state priorities specified in Education Code 52060. The LCAP shall be effective for three years and shall be updated on or before July 1 of each year. (Education Code 52060)

In addition, the LCAP shall address any local priorities adopted by the Board.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula. (Education Code 42238.02)

To minimize duplication of effort and provide clear direction for program implementation, the LCAP and other district and school plans shall be aligned to the extent possible.

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP or the annual update are consistent with strategies included in the SPSA. (Education Code 52062)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 6170 - Uniform Complaint Procedures. (Education Code 52075)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in various student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

The Superintendent or designee shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. (Education Code 52060)

DIXIE SCHOOL DISTRICT

POLICY 0460

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Public Review and Input

The Board and Superintendent or designee shall establish the following committee to review and comment on the LCAP: (Education Code 52063)

1. A parent advisory committee including at least one parent/guardian of unduplicated students as defined above

The Superintendent or designee shall present the LCAP or the annual update to the committee before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee. (Education Code 52062)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP or the annual update to the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP or the annual update shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP or the annual update. The public hearing shall be held at the same meeting as the public hearing required prior to the adoption of the district budget in accordance with Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

Adoption of the Plan

Prior to adopting the district budget, but at the same public meeting, the Board shall adopt the LCAP or the annual update. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

Not later than five days after adoption of the LCAP or the annual update to the LCAP, the Board shall file the LCAP or the annual update with the County Superintendent of Schools. (Education Code 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP or the annual update, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

Technical Assistance/Intervention

When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the district's LCAP
2. Revision of the district's budget in accordance with changes in the LCAP
3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

DIXIE SCHOOL DISTRICT

POLICY 0460

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Legal Reference:

EDUCATION CODE

17002 State School Building Lease-Purchase Law, including definition of good repair
41020 Audits
42127 Public hearing on budget adoption
42238.01-42238.07 Local control funding formula
44258.9 County superintendent review of teacher assignment
48985 Parental notices in languages other than English
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
52052 Academic Performance Index; numerically significant student subgroups
52060-52077 Local control and accountability plan
52302 Regional occupational centers and programs
52372.5 Linked learning pilot program
54692 Partnership academies
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission
60811.3 Assessment of language development
64001 Single plan for student achievement
99300-99301 Early Assessment Program
UNITED STATES CODE, TITLE 20
6312 Local educational agency plan
6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

Impact of Local Control Funding Formula on Board Policies, November 2013
Local Control Funding Formula 2013, Governance Brief, August 2013
State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

WEB SITES

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

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

First Reading and Adoption: 6-24-14

PARENTAL INVOLVEMENT IN THE E.C.I.A. CHAPTER 1 PROGRAM

It is in the interest of both parents and staff to insure that parents/ guardians of children being served have an adequate opportunity to participate in the design and implementation of Dixie School District's Chapter 1 program. In order to facilitate this the following procedures are established.

- A. Each child's parent/guardian will be notified in a timely manner that the child has been selected to participate and the criteria for the child's participation.
- B. Each child's parent/guardian will be informed of the specific instructional objectives for the child.
- C. Parents/guardians will be notified at least semi-annually on the child's progress.
- D. Conferences between individual parents/guardians and teachers will be established as the need arises.
- E. Timely information regarding the Chapter 1 program plans and evaluation will be provided for parents/guardians.
- F. Parents/guardians' suggestions will be solicited for planning, development, and operation of the program. This will occur annually in the spring of each year. At that time parents will be given the opportunity to discuss, evaluate and offer suggestions for the next year's Chapter 1 program.

Legal Reference: Section 200.53, Title 34, CFR

Adopted 7/22/87

PARENT/GUARDIAN INVOLVEMENT

The Governing Board recognizes that a child's education is a responsibility shared by school and family. To support the District mission to educate all students effectively and to their highest potential, schools and parents must work as partners.

Each school in the District shall have a program of parent involvement. This program will be designed to promote frequent, clear two-way communication between the school and family regarding their child's academic achievement, social progress and school programs; to provide parents with knowledge of effective parenting skills, school and community support services, and appropriate techniques to help their children learn at home; to support parents as decision makers and to develop their leadership in governance, advisory and advocacy roles; and to involve parents, through appropriate training, in instruction and support roles at the school.

Although parents are diverse in culture, language, and needs, they overwhelmingly share the school's commitment to the educational success of their children. This success cannot be the sole responsibility of a single program such as Chapter I or School Improvement or a group of individuals. All schools must involve parents at each grade level and in a variety of roles as part of the program of parent involvement.

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

Complaint Procedures

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

The Governing Board shall annually review district policies and regulations related to complaints against school personnel.

In order to promote fair and constructive communication, 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, complaints concerning school personnel should be made directly by the complainant to the person against whom the complaint is made. Parents/guardians are encouraged to attempt to resolve concerns by speaking with the staff member personally.
2. If a complainant is unable or unwilling to resolve the complaint directly with the person involved, he/she may submit an oral or written complaint to the employee's immediate supervisor or the principal. If the complainant does not submit a complaint in writing, the employee's immediate supervisor or the site principal shall put any serious complaint in writing.
3. When a written complaint is received, the employee shall be notified in accordance with collective bargaining agreements within five (5) school days.
4. All complaints regarding district personnel other than administrators shall be submitted in writing to the principal or immediate supervisor. Complaints related to a principal or central office administrator shall be initially filed in writing with the Superintendent or designee. Complaints related to a Board member or to the Superintendent shall be initially filed in writing with the Board.
5. A written complaint must include:
 - a. The name of each employee involved.
 - b. A brief but specific summary of the complaint and the facts surrounding it, and
 - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.

6. The person responsible for investigating the complaints will attempt to resolve the complaint to the satisfaction of the person(s) involved within 20 school days.
7. The complainant may appeal a decision by the principal or immediate supervisor to the Superintendent or designee, who will attempt to resolve the complaint to the satisfaction of the person(s) involved within 20 school days. After the decision by the Superintendent or designee, the complainant, the employee, and/or the Superintendent or designee may ask to address the Board regarding the complaint. Any appeal must be made within 20 school days of the date of the decision.
8. Before any Board consideration of a complaint, the Superintendent or designee shall submit to the Board a written report concerning the complaint, including but not be limited to:
 - a. The 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 employee(s) as to the precise nature of the complaint and to allow the employee(s) to prepare a defense.
 - c. A copy of the signed original complaint.
 - d. A summary of the action taken by the Superintendent or designee, together with his/her specific finding that the problem has not been resolved and the reasons.
9. The Board may choose to make a decision on the appeal without hearing the complaint based on receipt of written material from both complainant and district personnel.
10. All parties to a complaint may be asked to attend a Board meeting in order to present all available evidence and allow every opportunity for explaining and clarifying the issue.
11. Before the Board holds a closed session to hear complaints or charges brought against an employee, the employee shall receive written notice of his/her right to have the complaints or charges heard in open session rather than closed session. This notice shall be delivered personally or by mail at least 24 hours before the time of the session, and the employee may request that the complaints or charges be heard in open session. Complaints concerning Board members shall be addressed in open session unless a closed session is warranted pursuant to Education Code 35146 or 48918 or Government Code 54957 or 54957.6.
12. Any decision of the Board shall be final.

Complaints Regarding Child Abuse

When a complaint of child abuse is alleged, the district shall provide parents/guardians procedures for filing a child abuse complaint against a school employee or other person who commits an act of child abuse at a school site. Education Code 48987 requires the district to give these procedures to parents/guardians upon request, in their primary language.

Providing the above procedures to parents/guardians does not relieve mandated reporters from their duty to report suspected child abuse in accordance with law.

Legal Reference: Ed. Code 33308.1, 35146, 35160.5, 44031, 48918, 48987

cf. 1312.2 - Complaints Concerning Instructional Material

cf. 1312.3 -

Uniform Complaint Procedures

cf. 5141.4 - Child

Abuse Reporting Procedures

cf. 9321 - Closed

Session Purposes and Agendas

Cf. 9323 - Meeting

conduct

SB 36 (Ch. 1137,

Statutes of 1993)

Government Code

54957, 54957.6

Penal Code

11165.12, 11165.14, 11172

Adopted: 11/28/84

Amended: 9/24/96

SOLICITING FUNDS AND MEMBERSHIP FROM STUDENTS

It shall be the policy of the Dixie School District that no pupils of the District shall be solicited by teachers or others to subscribe to the funds of any organization not directly under the control of the school authorities.

Ed. Code: 51520/51521

Adopted 11/11/64
Amended 9/27/78
Amended 5/26/82

DISTRIBUTION OF CIRCULARS, BULLETINS, AND NOTICES

Circulars, bulletins and notices prepared by the school staff and/or parent organizations of the schools, having approval of the school principal, may be sent home via the pupils of the school.

Sectarian, partisan or denominational publications may not be distributed.

The Superintendent may approve the distribution of printed materials which extend the cultural, recreational, artistic or educational programs of the community and are sponsored by non-profit organizations. The following disclaimer must be printed on all flyers distributed by the Dixie School District:

THE DIXIE SCHOOL DISTRICT IS NOT A SPONSOR OR RESPONSIBLE IN ANY WAY FOR THIS EVENT. PLEASE CONTACT THE SPONSORING AGENCY WITH ANY QUESTIONS/CONCERNS. THANK YOU.

Adopted 11/11/64
Amended 9/27/78
Reviewed 5/26/82
Amended 8/11/82
Amended 1/11/94

NONDISCRIMINATION NOTICE

The Dixie School District does not discriminate on the basis of race, color, national origin, sex, handicap, or age in any of its policies, procedures, or practices, in compliance with Title VI of the Civil Rights Act of 1964 (pertaining to race, color, and national origin), Title IX of the Education Amendments of 1972 (pertaining to sex), Section 504 of the Rehabilitation Act of 1973 (pertaining to handicap), and the Age Discrimination Act of 1975 (pertaining to age). This nondiscrimination policy covers admission and access to, and treatment and employment in, the District's programs and activities.

Inquiries regarding the equal opportunity policies, the filing of grievances, or a copy of the Title IX or Section 504 Grievance Procedures may be directed to:

Business Manager
Title IX Coordinator and
Section 504 Coordinator
Dixie School District
380 Nova Albion Way
San Rafael, CA 94903

Telephone (415) 492-3710

The Dixie School District recognizes its obligation to provide overall program accessibility throughout the District for handicapped persons. Contact should be made with the Section 504 Coordinator to obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by handicapped persons.

In accordance with Section 504 of the 1973 Rehabilitation Act, the Dixie School District is desirous that problems and complaints of alleged discrimination brought by employees, students, parents or guardians be resolved in an informal manner, as established in the Procedures Handbook, at the earliest possible time and at the most immediate level in the school district organization. A copy of the handbook is located at each school site and in the District Administration Office.

Federal Register, Department of Education, Title VI
Civil Rights Act of 1964

Federal Register, Department of Education, Title IX
Education Amendments of 1972

Section 504 of the Rehabilitation Act of 1973
Public Law 93-112 93rd Congress, H.R. 8070

Adopted: 1/11/84

COMMUNITY USE OF SCHOOL FACILITIES

The Governing Board 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 buildings and grounds by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

The board believes that school facilities provide an important link between the district and community. The Board authorizes the use of school facilities without charge (except for overtime pay earned by employees as a result of the use) by nonprofit organizations, and clubs or associations organized to promote youth and school activities. These groups include:

1. Parent-Teacher Associations/Home and School Clubs
2. Parent/School Clubs and Organizations
3. Council of Music and Arts (COMA)
4. School Site Councils
5. Coordinating Council
6. Board appointed citizen committees or groups organized and monitored by the District Administration as an extension of the school program.
7. Boy Scout Troops, Girl Scout Troops, and Campfire Girls

Other groups requesting the use of school facilities under the Civic Center Act shall be charged at least direct costs.

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

1. Any use by an individual or group for the commission of any crime or any act prohibited by law.
2. Any use of school facilities or grounds which is inconsistent with their use for school purposes or which interferes with the regular conduct of school or school work.
3. Any use which is discriminatory in the legal sense.
4. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances on school property, including tobacco.

5. Any use which involves unauthorized vehicles on the grounds or any moving vehicle in the vicinity of children.
6. When use would damage buildings or fields.
7. Any use which involves model rockets or other objects using explosives or fuel for propulsion.
8. Skateboarding, roller blading, roller skating.

Legal Reference:

Education Code 40040-40047, Civic Center Act
10900-10916, Community Recreation Programs

Health and Safety Code 104420 Tobacco Use Prevention Program

Adopted 9/9/59
Amended 8/4/65
Amended 10/25/76
Amended 1/25/78
Amended 1/26/83
Revised 2/27/85
Revised 4/22/97

COMMUNICATION CHANNELS

It is in the best interest of parents, staff, and students to resolve issues relative to the operation of the school district as expeditiously as possible.

In order that issues are discussed and hopefully resolved at the level having the most information regarding the matter, use of the following communication channels is strongly encouraged.

Contact Person

(For unresolved issues proceed through the levels as indicated.)

Classroom Issues:

Level One:	Teacher
Level Two:	Principal
Level Three:	Superintendent
Level Four:	Governing Board

School Site Issues:

Level One:	Principal
Level Two:	Superintendent
Level Three:	Governing Board

District Issues:

Level One:	Superintendent
Level Two:	Governing Board

SEX OFFENDER NOTIFICATION

In order to protect students while they are traveling to and from school, attending school or at a school-related activity, the Governing Board believes it is important that the district respond appropriately when a law enforcement agency notifies the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt of such information. To the extent authorized by law, the Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

****Note:** Penal Code 290.45 specifies that when a law enforcement agency reasonably suspects that children may be at risk from a registered sex offender, the agency may notify educational institutions. However, the law does not stipulate procedures for districts to follow when so notified. Penal Code 290.45 also provides that any person who receives such sex offender information from a law enforcement agency may only disclose that information in the manner and to the extent authorized by the law enforcement agency. Because school personnel are not equipped to assess the relative danger of offenders, it is recommended that districts consult with legal counsel when developing their planned response to the receipt of sex offender information.

Through annual distribution of amended Policy and Administrative Regulation 1332, *Sex Offender Notification*, the Superintendent or designee shall notify parents/guardians of the district's planned procedure for receiving and communicating information about registered sex offenders residing within district boundaries.

Through annual distribution of amended Policy and Administrative Regulation 1332, *Sex Offender Notification*, the Superintendent or designee shall annually notify parent/guardians of the availability of information about registered sex offenders on the California's Megan's Law website, which provides the public with certain information on the whereabouts of sex offenders so that members of our local communities can protect themselves and their children. (The law is not intended to further punish the offender and specifically prohibits using the information to harass or commit any crime against the offender.). Anyone can access this information at <http://MegansLaw.ca.gov> or through a web site at <http://ag.ca.gov/meganslaw>.

In accordance with law, Board policy and administrative regulation, local law enforcement may disseminate information about registered sex offenders to the school community. Local law enforcement shall consult with the Superintendent or designee prior to any such dissemination.

To protect the district and its employees from liability, employees shall disseminate sex offender information in good faith, and only in the manner and to the extent authorized by the law enforcement agency.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police Department)
(cf. 5142 - Safety)

Legal Reference:

EDUCATION CODE

32211 Threatened disruption or interference with classes; offense

35160 Authority of boards

35160.1 Board authority of school districts

PENAL CODE

290 Registration of sex offenders

290.4 Sex offender registration; compilation of information; "900" number

626.8 Disruptive entry or entry of sex offender upon school grounds

UNITED STATES CODE, TITLE 42

14071 Jacob Wetterling Crimes Against Children and Sexually Violent Offender
Registration Program Act

Management Resources

WEB SITES

California Department of Justice: <http://www.caag.state.ca.us>

First Reading: February 9, 1999
Adopted: February 23, 1999
Amended: July 11, 2006

CHARTER SCHOOLS

It is the objective of the Board of Education that teachers, parents, pupils and community members may petition the Board to approve a charter school, and that the Board shall review such petitions in accordance with the letter and spirit of the law.

Accordingly, in order to implement state law fully and fairly, and to provide petitioners with a thorough description of how the district will meet its obligations under law, the Board adopts the following.

A. Petition

A petition to the Board of Education to approve a charter school shall include the following information:

1. The name, address and phone number of each applicant, together with a statement signed by each of them, formally applying to the Board for approval of the charter school. If the proposed charter school includes one or more grade levels not served by the district, it must also propose to include all of the grade levels which are served by the district.
2. A thorough description of the education, work experience, credentials, degrees and certifications of the individuals comprising, or proposed to comprise, the directors, administrators and managers of the proposed charter school.
3. The By-laws, articles of incorporation and other management documents, as applicable, governing, or proposed to govern, the charter school. The information in this section should specify that the charter school will be subject to the Brown Act, the Public Records Act, as well as the Conflict of Interest provisions which also apply to members of the Board of Education. The Board of Education will give preference to proposals that specify that the charter school will be operated as, or be operated by, a nonprofit public benefit corporation.
4. A list of consultants whom the charter school has engaged, or proposes to engage, for the purpose of developing, operating and evaluating the charter school, together with a thorough description of the qualifications of such consultants.
5. The names, addresses and phone numbers of those persons endorsing the proposal with original signatures of such petitioners and in the form provided in Section 47605 of the State Education Code. The petition form must also indicate that a copy of the charter school proposal was attached such that petitioners could review it prior to signing. Parents/guardians signing a petition form must have one or more children who are age appropriate for the proposed charter school. Teachers signing a petition form must be properly credentialed to teach one or more core academic classes in the proposed charter school.

6. A Charter School Proposal including reasonably comprehensive descriptions of those elements of school philosophy, curriculum and practice as called for in Section 47605(b)(5)(A) through 47605(b)(5)(P) inclusive of the Code.
7. A description of the proposed assessment program related to the school's measurable pupil outcomes. This description should include a discussion of how the charter school shall meet all statewide and national standards and conduct the pupil assessments required pursuant to Education Code Section 60605, as well as any other statewide or national pupil assessments applicable to pupils in noncharter public schools.
8. A signed statement affirming that the school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any person on the basis of ethnicity, national origin, gender, or disability as set forth in Section 47605(d)(1) of the Code.
9. The address and a description of the charter school facility or facilities, located within the geographic boundaries of the district, together with such documentation sufficient to provide reasonable evidence that the charter school facility is safe, habitable, well-suited for its educational purpose, and that applicant has secured or has reasonable assurance of securing the facility for use by the charter school.
10. A description of the proposed charter school's building maintenance, replacement, and expansion policies, including related financial projections. Current financial statements for the charter school, including a detailed balance sheet and statements of income and expense shall be included in cases of renewal applications.
11. A detailed, complete, and fully annotated operational budget with estimates of charter school revenues and expenditures, cash-flows, and reserve positions, for the first three years of operation, including startup costs and the precise salary and benefits paid and to be paid to the persons or positions identified in paragraphs A (1), A(2), A (4), and A(13) of this policy.
12. An attorney's opinion or a narrative from the charter school applicant providing a thorough description of the potential civil liability, if any, of the charter school and the district.
13. A summary of the administrative structure and organization of the school. The summary should specifically include school district liaison, special education and other basic elements of school operation. This section should also detail the proposed academic calendar including: Days of Instruction, hours of operation, expectations for pupil attendance and annual instructional minutes for each grade level to be served.

14. The manner, format and content by which the charter school proposes to regularly report to the district concerning implementation of the approved charter, measurable student progress, as well as the current and projected financial viability of the school.
15. The augmented plans to insure the health and safety of students and staff beyond those listed under Required Element F. This requirement is to address any plans regarding additional TB screening, student supervision, safety training for staff, immunization screening, as well as other appropriate health and safety issues addressed in District Policy and Regulation.
16. Education Code Section 47605(b)(5)(P) calls for a description of the procedures to be used if the charter school closes. The Board of Education expresses a preference for procedures which include a provision whereby residual assets of the charter school will accrue to the benefit of the district.

B. Process

1. Upon receipt of a petition or preliminary application the district shall date stamp the cover page of the submitted materials. A complete charter school petition shall include all of the information referenced in the Charter Schools Act by which the Board of Education may evaluate the application. While a charter school petition may be submitted at any time during the year, petitioners are encouraged not to submit a petition during a period when a regular Board of Education meeting is not scheduled within the next 30 days. In addition, petitioners seeking approval to commence charter school operation at the start of the next school year are encouraged to initiate the process not later than the prior December 15th. In the case of petitions received after that date, the Board of Education reserves the right to consider approval on the basis of a one year delay in the commencement of charter school operation.
2. Not later than 30 days after receiving the complete charter school petition, the Board shall hold a public hearing on the provisions of the charter, at which time the level of support for the petition by teachers of the district, other employees of the district and parents, shall be considered. Charter applicants shall appear and provide testimony to the Board of Education. Notice of the hearing will be provided to each bargaining unit representing the employees of the district.
3. Within 60 days of receipt of the petition, or 90 days based upon agreement between the applicant and the school district, the Board shall either grant or deny the petition. The Board may also approve the petition while noting certain conditions that the Board deems reasonable and rationally related to increasing the likelihood of success for the charter school and/or compliance with law. In that case, the Charter Schools Section of the State Department of Education, and other agencies as required by law, will be notified that the charter has been approved. The conditions cited by the Board of Education will be addressed in the Memorandum of Understanding or Operating Agreement to be developed

between the charter school applicant and the Superintendent or designee. In the event that an agreement cannot be developed and signed prior to receipt by the State Board of Education and the State Superintendent of Public Instruction, the Superintendent, or designee, will so inform the State Department of Education. Further, the Superintendent and the Board of Education will consider whether failure to reach agreement with the charter school applicant regarding the conditions noted by the Board of Education constitutes cause for charter revocation.

C. Denial of Petition - Findings

It is the intent of the Board that charter schools with sound educational practice should be encouraged. The Board shall deny a petition only if the Board makes written factual findings, specific to the particular petition, setting forth specific facts to support one, or more, of the following findings:

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required by the Code (paragraph 47605(b)(3) of the Code).
4. The petition does not contain an affirmation of each of the conditions set forth in Section 47605(d) of the Code.
5. The petition does not contain reasonably comprehensive descriptions of all the information required under paragraph A(6) of this policy (paragraph 47605(b)(5) of the Code).
6. The petition or proposed program is inconsistent with state law.

D. Monitoring and Supervision

District oversight of, and supervisorial assistance provided to, the charter school shall be limited to that required by law. However, additional services may be provided by the district the subject to mutual agreement.

1. The relationship between the charter school and the district, as well as any services to be provided by the district, will be described in a Memorandum of Understanding or Operating Agreement. The provisions of this written agreement will be discussed concurrently with consideration of charter approval.

2. The Superintendent or designee shall inspect, not less often than annually, documents on file at the charter school which shall verify that all teachers at the school hold a certificate, permit or other document equivalent to that which teachers in other public schools would be required to hold, and that those teachers at the school instructing students in college preparatory subject areas such as mathematics, science, social science and language arts meet the same requirements imposed under state law on teachers in other public schools instructing such college preparatory subjects.
3. The Superintendent or designee shall examine, not less than annually, the audit report of the charter school, and shall, not less than annually, examine the general operation of the charter school. The Superintendent will promptly report to the Board any instance in which the charter school has committed any of the violations listed in the Education Code section 47607(b) below:

A charter may be revoked by the authority that granted the charter under this chapter if the authority finds that the charter school did any of the following:

- (1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter petition.
 - (2) Failed to meet or pursue any of the pupil outcomes identified in the charter petition.
 - (3) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
 - (4) Violated any provision law.
4. Upon written finding by the Board that the charter school committed any of the violations at paragraph 47607(b)(1) through (4) of the Code inclusive, the Board shall notify the charter school accordingly, providing notice that the Board may revoke the charter, and give the school reasonable opportunity to cure the violation (unless the Board determines that the violation constitutes a severe and imminent threat to the health or safety of pupils). Upon evidence satisfactory to the Board that the violation has been cured, the Board shall rescind the written findings. After a reasonable period, if satisfactory evidence is not presented to the Board that the violation has been cured, the Board may revoke the charter effective at such date as the Board determines appropriate.
 5. The district shall charge, and the charter school shall pay the district, for the actual costs of monitoring and supervision not to exceed 1% of the revenue of the charter school except as otherwise provided by law.

E. Charter Approval

An initial approval of a charter petition by the Board shall be for a period normally not to exceed three years.

F. Charter Renewal or Material Modification of an Approved Charter

1. Renewing or materially modifying a charter are each subject to the approval of the Board.
2. Applications to renew or materially modify the charter shall include all the same information, be processed in the same way, be subject to approval or denial on the same basis, as proposals for new charter schools, except that any renewal approval shall be for a period of five years from the expiration date of the charter and a material modification when approved shall not affect the expiration date of the charter as originally approved.
3. Applications to materially modify the charter may be submitted at any time during the life of the approved charter. Applications to renew the charter shall be submitted no earlier than nine months prior to the date of charter expiration.
4. A material modification of an approved charter is any change in the representations made to the district under sections A(3), A(6) through (16) inclusive, of this policy.

G. Miscellaneous

1. Should a charter school elect to operate as, or be operated by, a nonprofit public benefit corporation, the Board of Education may appoint a representative to serve on the board of directors of the corporation, and the corporation shall confer upon the board's appointee all rights and responsibilities exercised by any other director of the corporation.
2. A charter school shall promptly respond to all reasonable inquiries from the district and shall be open for inspection by the Superintendent or his/her designee at all reasonable times.
3. The superintendent is charged with developing administrative regulations to implement this policy.

Legal Reference: EDUCATION CODE 47601 et. seq.

First Reading: May 27, 2003
Adopted: June 10, 2003

ARTICULATION BETWEEN DIXIE SCHOOL DISTRICT AND SAN RAFAEL CITY SCHOOLS

The Governing Board recognizes that curriculum and program articulation can greatly enhance the instructional program for students as well as the efficiency of District and school site administration.

Under the direction of the Board of Trustees of both the Dixie District and San Rafael City Schools, school employees, parents/guardians, secondary students, and community members shall collaborate and provide information to promote articulation on matters such as curricular and instructional programs, school governance, student behavior, discipline, and student services.

The Superintendent or designee shall develop a plan to address the short term and long term articulation needs of the Dixie District and high school district, and shall provide for the compatibility of resources and strategies among school sites, district offices, and other district operations. As a basis for this plan, he/she shall help school staff members engaged in articulation establish planning processes, make efficient use of resources and staff, and develop new programs based on the needs, interests, and resources at their individual schools.

First Reading:	June 27, 2006
Second Reading and Adoption:	July 11, 2006

APPOINTMENT OF SUPERINTENDENT

The Board of Trustees of the Dixie School District shall appoint a District Superintendent to serve as Executive Officer of the Board of Trustees. The Superintendent may be elected for a term of four (4) years, but at the discretion of the Board, the contract period may be for one, two, or three (1-2-3) years duration.

No person shall be eligible to hold the position of District Superintendent of the Dixie School District unless he is the holder of both a valid school administration credential and a valid teacher's credential.

The Governing Board, with the consent of the Superintendent concerned, may at any time terminate, effective on the next succeeding first day of July, the term of employment of, and any contract with, the Superintendent of Schools, and re-elect or re-employ the Superintendent, on such terms and conditions as may be mutually agreed upon by the Board and the Superintendent, for a new term to commence on the effective date of the termination of the existing term of employment.

In the event the Governing Board of the Dixie School District determines the Superintendent of Schools of the District is not to be re-elected or re-employed as such Superintendent, upon expiration of his term, the Superintendent of Schools shall be given written notice by the Governing Board at least six (6) months in advance of the expiration of his term.

The Superintendent shall call to the attention of the Board, seven (7) months before the expiration of his contract, the fact that the Board is required to make its decision six months (6) before the expiration of his contract.

Legal Reference:

Education Code Sections 35026, 35028, 35031

Adopted 7/22/59
Amended 11/29/73
Amended 10/11/78

SUPERINTENDENT OF SCHOOLS - ROLE OF THE SUPERINTENDENT

The Superintendent is expected to work for the fulfillment of district goals and objectives established by the Governing Board. His/her responsibilities and duties shall be specified in contract and further detailed throughout the Board's policies.

The Superintendent is the chief executive officer and educational leader of the district. He/she executes all Governing Board decisions and is accountable to the Board for managing the school district in accordance with the Board's policies. He/she informs the Board about school programs, practices and problems and offers professional advice on items requiring Board action with appropriate recommendations based on thorough study and analysis.

The Board delegates to the Superintendent the power to make decisions concerning internal operations of the district. The Superintendent may delegate to other district staff any duties imposed upon him/her by the policies or vote of the Board, as far as the law permits. These delegations of power or duty shall not relieve the Superintendent of responsibility for actions taken by his/her designees.

The Superintendent shall have general supervision of all personnel and shall develop and execute consistent, fair, and fiscally sound personnel procedures and practices, including an evaluation program for all district employees. He/she shall oversee all financial operations of the district and actively seek out new funding sources for the district.

The Superintendent shall take an active leadership role in the development and improvement of the instructional program. He/she is expected to create a feeling of unity and enthusiasm among students and staff for the accomplishment of district goals.

The Superintendent shall articulate educational issues and values before the community and other governmental agencies. He/she shall be accessible to community members and shall work with them to further the district's goals and build a strong, positive community attitude toward the school system.

The Board expects the Superintendent to remain current on educational thought and practices by reading educational publications, attending educational conferences, and visiting other school systems in the interest of improving the district's instructional program and overall operation. The Superintendent shall inform the Board and staff of new developments and significant events in the field of education.

Legal References:

Education code:

35020 Duties of employees fixed by governing board
 35026 Employment of district superintendent by certain districts
 35028 Qualifications for employment
 35029 Waiver of credential requirement
 35031 Term of employment (up to four years)
 35032 Salary increase
 35033 District superintendent for certain unified school districts (on formation of district)

35034 District superintendent of certain unified districts
 35035 Additional powers and duties of superintendents
 39656 Delegations of powers to agents;
 39657 Delegation of authority to purchase supplies, equipment and services; limitations on expenditure
 39657 Delegation of authority to purchase supplies, equipment and services
 48900 Authority of superintendent to recommend suspension or expulsion

Government Code:

89501-89505 Honoraria and gifts

Adopted: 3/26/96

SUPERINTENDENT GOVERNANCE STANDARDS

The Governing Board recognizes that effective district governance requires strong collaboration and teamwork with the Superintendent. Because the Board and the Superintendent each have their unique roles and responsibilities, both contribute to the responsible governance of the district and the quality of education provided to the community's students. The Superintendent is expected to hold himself/herself to the highest standards of ethical conduct and professionalism.

To support the Board in the governance of the district, the Superintendent:

1. Promotes the success of all students and supports the efforts of the Board to keep the district focused on learning and achievement.
2. Values, advocates, and supports public education and all stakeholders.
3. Recognizes and respects the differences of perspective and style on the Board and among staff, students, parents/guardians, and the community – and ensures that the diverse range of views inform Board decisions.
4. Acts with dignity, treats everyone with civility and respect, and understands the implications of demeanor and behavior.
5. Serves as a model for the value of lifelong learning and supports the Board's continuous professional development.
6. Works with the Board as a "governance team" and assures collective responsibility for building a unity of purpose, communicating a common vision and creating a positive organizational culture.
7. Recognizes that the Board/Superintendent governance relationship is supported by the management team in the district.
8. Understands the distinctions between Board and staff roles, and respects the role of the Board as the representative of the community.
9. Understands that authority rests with the Board as a whole; provides guidance to the Board to assist in decision-making; and provides leadership based on the direction of the Board as a whole.
10. Communicates openly with trust and integrity, including providing all members of the Board with equal access to information and recognizing the importance of both responsive and anticipatory communications.
11. Accepts leadership responsibility and accountability for implementing the vision, goals, and policies of the district.

SUPERINTENDENT GOVERNANCE STANDARDS

Note – *For additional information, please see:
Policy No. 2, Board Governance Standards
Policy No. 9000, Role of the Board*

Legal references:

Education Code Section 35020, Duties of employees set by governing board.

First Reading: December 10, 2002
Adopted: January 14, 2003

USE OF CONSULTANT AND TECHNICAL ASSISTANCE

In situations where knowledge and/or technical skills are needed that cannot be supplied by regular staff positions, technical and consultant assistance will be considered as one alternative for providing the desired service. The service to be provided will be carefully planned, consistent with budget appropriations and related budget implementation procedures. The selection of consultant and technical resources will include criteria of background, professional standing in the given field, knowledge and quality of past performance as related to the requirements needed for the task to be performed.

All services provided in this manner will be evaluated during the progress of and upon the completion of the assignment.

Legal Reference: Education Code
 10400 Legislative intent (cooperative improvement programs)
 35046 Re school district awarding consultancy contracts to retired
 certificated employees who have been employed by the district for
 at least 10 years and who are at least 55 years of age

Adopted 9/9/59
Revised 6/13/70
Revised 12/9/81
Revised 1/25/84

APPOINTMENT OF PRINCIPALS

Principals shall be employed upon recommendation of the Superintendent and approval of the Board.

The Principals shall be assigned to schools upon the recommendation of the Superintendent of schools and approval of the Board.

Adopted 10/28/59

Reviewed 2/6/80

Amended 9/1/82

ADMINISTRATIVE COMPETENCE IN EVALUATION

Upon recommendation of the superintendent, the governing board of the school district shall annually certify administrators in the district as being competent in evaluation of teachers based upon the following criteria:

1. Possession of a valid administrative credential.
2. Demonstration of knowledge of evaluation techniques and procedures.
3. Demonstration of competency in instructional methodology.
4. Participation in Clinical Supervision training.
5. Participation at least once a year in inservice activities with emphasis on evaluation and instruction.

Legal References: Education Code Section 35160.5

Adopted 10/24/84

STAFF ADVISORY FUNCTIONS

In the development of rules, regulations, and arrangements for the operation of the school system, the Superintendent shall include at the planning stage, whenever feasible, those employees who will be affected by such provisions.

The Superintendent shall evolve with credentialed and non-credentialed employees channels for the ready inter-communication of ideas and feelings regarding the operation of the schools. He shall weigh with care the counsel given by employees, especially that given by groups designated to represent large segments of the staff, and shall inform the Board of all such counsel in presenting reports of administrative action and in presenting recommendations for Board action.

Adopted 9/23/59
Amended 3/12/80
Reviewed 9/22/82

STATEMENT OF MANAGEMENT AND OPERATIONS PRINCIPLESIntroduction

The Dixie School District is an institution devoted to, and legally charged with, the responsibility for providing an instructional program for the community it serves. The District is organized to accomplish this purpose through an elected Board of Trustees and professional staff members who are employed by the Board. The Governing Board and the professional staff each has unique responsibilities within this institution.

The Governing Board is responsible for making policy decisions relating to the educational program. In order to carry out this responsibility fully it must consider information from many sources to determine needs, expectancies and requirements for student performance as desired by the community and our society, and must translate this information into clearly defined goals and objectives for the District. The Board must then determine if the results of District programs conform to District goals and objectives they has previously defined.

The District professional staff is responsible for developing an instructional program which will conform to District goals and meet the objectives that have been defined by the Governing Board. In this way, the Board determines the "What," or end product, of education for the District, while the professional staff determines the "How," or means of providing education.

The validity of District goals and the efficiency and effectiveness of the instructional program in accomplishing the goals may be determined by using a systematic procedure which will provide valid information about the results being attained in the schools. Essential to this procedure is clear, continuous communication between Board, professional staff and community. In order to attain this kind of communication we must unceasingly distinguish between the goals, or the "What" of the instructional program, and the means, or the "How" of the instructional program. The "How" must always be contingent upon the "What." The instructional program must always be based upon the goals and objectives as established by the Governing Board.

In order to direct, evaluate and revise the instructional process as necessary, District management must follow clearly defined operational principles. The Dixie School District supports the following principles:

Principles for Dixie School District Management and Operations.1 Description and Assessment of All Existing Programs and Services

Many educational institutions use logic and/or emotional persuasion to convince the power structure that a new program or a modification of an existing program tends to become operational without examination, rather than to continue to be under continual assessment in order to justify its existence. This leads to the continuity of programs and services merely because they are there, not because they deliver desirable results.

STATEMENT OF MANAGEMENT AND OPERATIONS PRINCIPLES (Continued)

It is the intent of this District to be just as concerned about the quality and desirability of programs and services already in existence as it is for program modification and research and development efforts of new programs.

This cannot be an overnight accomplishment, but nonetheless until all basic and specialized programs are carefully evaluated and revised accordingly, accountability will be less than complete and thus the District cannot claim to be fully responsible and accountable for its purpose for existence and for the functions which are performed accordingly.

.2 Management by Objective with Evaluation of Processes and Results

The management of the educational programs will be directed by the objectives which are to be achieved. The evaluation will be concerned with the attainment of the results as well as the processes used to obtain the results, rather than solely with the processes and facilities. Guidelines will need to be established to assist in this area.

All persons engaged in instructional programs are responsible for specification of how the objectives will be accomplished. They are also responsible for defining performance objectives which will form the basis for criterion measures to determine the degree to which the objectives are accomplished.

.3 Decentralized Program Implementation and Accountability

The purpose of decentralization is to allow for and profit from unique and varied procedures which capitalize on the special capabilities of personnel, facilities and methods to achieve the District's objectives in different locations and with populations of varying need.

This principle gives sanction to variation of means to obtain the desired goal and also demands assessment and evaluation to present evidence of the accomplishment.

.4 Differentiated Assignments

Staff members are assigned roles and responsibility for implementing particular aspects of the program. With unique procedures utilized in a decentralized operation, a general and comprehensively ambiguous job definition is neither accurate nor appropriate. Generic position titles assume all staff of that title to be functioning in the same way and accountable for the same processes and results. This is obviously a gross misrepresentation of the several teachers who may operate as (1) Regular Classroom Teacher, (2) E.H. Tutor, (3) Special Day Class Teacher, (4) Supplemental Teacher.

STATEMENT OF MANAGEMENT AND OPERATIONS PRINCIPLES (Continued)

.5 Continuous Planned Change and Improvement

Change should be accomplished on a continuing basis and with a plan that can be monitored both on the process and result dimensions.

Incidental and inadvertent or unplanned change frequently occurs in a gradual manner that may be undetected; as a result existing programs require definition as much as do new programs to ensure that what is surmised to exist is actually happening.

.6 Reallocation of Resources

It is characteristic of social institutions to try to improve their programs by continual addition of resources rather than to reallocate existing resources. The intent of this District is to make efficient use of its resources through reallocation processes, rather than to continually add resources. The level of sufficient resources before the reallocation progress can be effective is not fully known. It is firmly believed, however, that the addition of resources to solve problems should not be the first alternative considered.

.7 Allocation of Resources by Criteria

An operating unit's program depends upon the resources available to that unit. In order to plan, develop, implement and evaluate a program the staff of an operating unit must be able to predict that resources will be available when needed and will know all restrictions on resource use from the outset. In order for this to come about, a plan for the allocation of resources must be utilized which meets the criteria approved by the Board of Education and recommended by the professional staff. The use of such a plan eliminates the random assignment of resources based upon emotional appeal, which is inequitable and unpredictable.

ADMINISTRATIVE TEAM

The Administrative Team of the Dixie School District is established for the purpose of improving the management function of the District by bringing to bear more effective research on district program; pooling technical knowledge in the improvement of district services; establishing a more coordinated program relating to evaluation of district operations and personnel; improving communications among all district personnel; increasing the commitment of district personnel to district service; and providing an enhanced refinement and delineation of district policies and procedures.

The Administrative Team is composed of both management and confidential employees as designated by the Superintendent.

The Superintendent, in conjunction with designated Administrative personnel shall establish a District Administrative Committee on Salaries and Other Conditions of Employment of Management and Confidential Personnel.

The Administrative Team has the following responsibilities:

1. To make policy recommendations to the Superintendent and Board of Trustees in their areas of responsibility.
2. To assist in development of administrative regulations and procedures implementing policy positions adopted by the Board.
3. To involve other staff members possessing competency in the area under consideration in the development of district policies and procedures.
4. To interpret and disseminate district policies and programs to other district personnel, students, and citizens.
5. To act as the Board's representative in the administration of district programs.
6. To evaluate demands made by other employees in negotiations with the Board's designated representative and to recommend to the Superintendent, the district's response to such demands.
7. To serve as support personnel to the district's negotiator.
8. To perform such other functions as may be designated by the Board with the advice and counsel of the Superintendent.

The Superintendent, in conjunction with Administrative personnel, shall develop appropriate standing rules and regulations for the implementation of this policy.

ADMINISTRATIVE OPTION IN ABSENCE OF BOARD POLICY

In situations which arise within the District where the Board has provided no guides for administrative action, the Superintendent shall have power to act, but the decision shall be subject to review by the board at a regular meeting.

It shall be the responsibility of the Superintendent to inform the Board of such action and to advise the Board of the need for policy.

BUDGET

The Governing Board accepts responsibility for adopting a budget that is compatible with the district's educational goals and states, in terms of resources, the services it plans to provide during the period covered by the budget.

The Board shall establish and maintain a reserve that meets or exceeds the requirements of law.

The Superintendent or designee shall determine the manner in which the budget is developed and shall schedule the budget adoption process in accordance with the single budget adoption process. The Governing Board will annually adopt a budget development calendar.

The Board encourages public input in the budget development process and shall hold public hearings in accordance with law.

If the Governing Board neglects or refuses to make a school district budget as prescribed by the California Education Code, the County Superintendent of Schools shall not make any apportionment of state or county school money for the current school year, and the County Superintendent of Schools shall notify the appropriate county official that he or she shall not approve any warrants issued by the School District.

Legal Reference:

EDUCATION CODE

- 33127: Development of standards and criteria for local budgets and expenditures
- 33128: Standards and criteria
- 33129: Standards and criteria; use by local agencies
- 35035: Powers and duties of superintendent
- 35161: Powers and duties, generally, of governing boards
- 42103: Public hearing on proposed budget; requirements for content of proposed budget; publication of notice of hearing
- 42103.3 Public budget information; CDE sampling and suggested improvements
- 42122-42129: Budget requirements

CODE OF REGULATIONS, TITLE 5

- 15440-15452: Criteria and standards for school district budgets

TRANSFER OF FUNDS

Between Categories

Transfers may be made from the fund balance to any expenditure classification or between expenditure classifications at any time by a written resolution of the Board of Trustees filed with the county superintendent of schools and the county auditor. A resolution providing for the transfers shall be approved by a majority vote of the members of the Board of Trustees.

At the close of the school year the district may, by a majority vote of the governing board, request the county superintendent of schools to make transfers between the fund balance and any expenditure classifications or balance any expenditure classifications of the budget as are necessary to permit the payment of obligations of the district which were incurred during the school year.

Between Funds

The Board of Trustees may direct, by a majority vote, that monies held in any special fund may be temporarily transferred from one or more of these funds to another fund to be used for the payment of obligations of the District, with limitations as set by Education Code 42603.

Legal Reference:

Education Code

- 42600 District budget limitation on expenditure.
- 42601 Transfers between funds to permit payment of obligations at close of year.
- 42603 Transfer of monies held in any fund or account to another fund; repayment.

STATEMENT OF BUDGET IMPLEMENTATION PRINCIPLES

The Governing Board places the responsibility for administering the budget with the Superintendent of Schools upon the adoption of the Operating budget. In order to allow the Superintendent to administer and control the budget in an effective and efficient manner, the following principles shall be followed:

All actions of the Superintendent, or (a) duly designated employee(s) of the District, in executing the programs and/or activities as set forth in the adopted Operating Budget of the District, are authorized to implement said programs and/or activities, subject, however, to continuous review by the Board of Trustees, and further limited to the following express provisions:

1. All expenditure of funds for the employment and assignment of personnel meet the legal requirements of the education Code of the State of California and adopted Board policies.
2. All expenditures so authorized are fully funded within the operating budget as adopted by the Board.
3. A complete listing of expenditures for supplies, materials, and services are listed periodically for Board approval and/or ratification.
4. All purchases are made in accordance with the requirements of the Education Code of the State of California and adopted Board policy.
5. All budget actions are consistent with other California laws and with other policies of the Dixie School District.
6. Appropriate financial reports are given to the Board periodically for Board control purposes.

FUND BALANCE POLICY

The Fund Balance Policy is intended to provide guidelines during the preparation and execution of the annual budget to ensure that sufficient reserves are maintained for unanticipated expenditures or revenue shortfalls. It also is intended to preserve flexibility throughout the fiscal year to make adjustments in funding for programs approved in connection with the annual budget. The Fund Balance Policy should be established based upon a long-term perspective recognizing that stated thresholds are considered minimum balances. The main objective of establishing and maintaining a Fund Balance Policy is for the district to be in a strong fiscal position that will allow for better position to weather negative economic trends.

The Fund Balance consists of five categories: Nonspendable, Restricted, Committed, Assigned, and Unassigned.

- **Nonspendable Fund Balance** consists of funds that cannot be spent due to their form (e.g. inventories and prepaids) or funds that legally or contractually must be maintained intact.
- **Restricted Fund Balance** consists of funds that are mandated for a specific purpose by external parties, constitutional provisions or enabling legislation.
- **Committed Fund Balance** consists of funds that are set aside for a specific purpose by the district's highest level of decision making authority (governing board). Formal action must be taken prior to the end of the fiscal year. The same formal action must be taken to remove or change the limitations placed on the funds.
- **Assigned Fund Balance** consists of funds that are set aside with the intent to be used for a specific purpose by the district's highest level of decision making authority or a body or official that has been given the authority to assign funds. Assigned funds cannot cause a deficit in unassigned fund balance.
- **Unassigned Fund Balance** consists of excess funds that have not been classified in the previous four categories. All funds in this category are considered spendable resources. This category also provides the resources necessary to meet unexpected expenditures and revenue shortfalls.

Nonspendable and Restricted Funds

Nonspendable funds are those funds that cannot be spent because they are either:

- 1) Not in spendable form (e.g. inventories and prepaids)
- 2) Legally or contractually required to be maintained intact

It is the responsibility of the Business Manager to report all Nonspendable Funds appropriately in the District's Financial Statements.

Restricted funds are those funds that have constraints placed on their use either:

- 1) Externally by creditors, grantors, contributors, or laws or regulations or other governments
- 2) By law through constitutional provisions or enabling legislation.

It is the responsibility of the Business Manager to report all Restricted Funds appropriately in the District's Financial Statements.

Classifying Fund Balance Amounts

When both restricted and unrestricted funds are available for expenditure, restricted funds should be spent first unless legal requirements disallow it.

When committed, assigned and unassigned funds are available for expenditure, committed funds should be spent first, assigned funds second, and unassigned funds last; unless the governing board has provided otherwise in its commitment or assignment actions.

Authority to Commit Funds

The Governing Board has the authority to set aside funds for a specific purpose. Any funds set aside as *Committed Fund Balance* requires the passage of a simple majority vote or resolution. These committed amounts cannot be used for any other purpose unless the Governing Board removes or changes the specific use through the same type of action taken to establish the commitment. Governing Board action to commit fund balance needs to occur within the fiscal reporting period, no later than June 30th; however the amount can be determined subsequent to the release of the financial statements.

Authority to Assign Funds

Upon passage of the Fund Balance Policy, authority is given to the Superintendent or designee to assign funds for specific purposes. Any funds set aside as *Assigned Fund Balance* must be reported to the district's governing board at their next regular meeting. The Governing Board has the authority to remove or change the assignment of the funds with a simple majority vote.

Minimum Fund Balance Policy

As a Basic Aid school district, the district believes is prudent to maintain a higher reserve level and to maintain a high bond rating and to protect the district from the effects of fluctuations in property tax revenues to which Basic Aid districts are vulnerable. This Fund Balance Policy establishes a minimum Unassigned Fund Balance as a Reserve for Economic Uncertainties of not less than 10% of total General Fund expenditures in the current budget year and a minimum Unassigned Fund Balance as a Reserve for Economic Uncertainties of not less than 5% in year two and year three of the District's AB1200 Multi-Year Projections. In the event that the balance drops below the established minimum level, the District's governing board will develop a plan to replenish the fund balance to the established minimum level within two years.

The Board reserves the authority to review and amend this resolution as needed to reflect changing circumstances and district needs.

First Reading / Adopted: June 14, 2011

DECENTRALIZED SCHOOL BUDGETS

In order to encourage the development of the most effective and efficient ways for local schools to reach their educational objective and in order to allow for local school flexibility in planning the school's program, the budget preparation process will include the allocation of decentralized funds to each school per a formula. The formula may need to be changed from year to year as state, federal, and local funding is determined and as educational objectives are reassessed.

Adopted: 7/11/00

CLASSROOM SUPPLIES AND EQUIPMENT

It is the intent of the Dixie school District Governing Board that all students have equal access to classroom supplies and equipment.

To that end, the administration will prepare and update on a periodic basis a list of basic supplies and equipment to be utilized when new classes are opened. The cost of providing this basic list will be budgeted by the District.

In the event a teacher is transferred to a classroom at another school the teacher will take with them personal items which they have purchased with their own funds. Materials that are unique to specialized talent or program may also go to the new location with the approval of the principals.

District items which include any paid for by the Home and School Clubs and PTAs, grants, or the district shall remain at the school unless special arrangements are made by the principals in the best interest of the district-wide instructional program.

Teachers moving into a new classroom will be assured of having available the items listed on the basic supplies and equipment list.

If inequities occur the administration will encourage sharing both within the school and with other schools in the District.

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES

When district-owned books, equipment and supplies become unusable, obsolete, or no longer needed, the Superintendent or designee shall identify these items to the Governing Board, together with their estimated value and a recommendation that they be sold or disposed of by one of the methods prescribed in law and administrative regulations. With Board approval, the Superintendent or designee shall arrange for the sale or disposal of these items.

Instructional materials may be considered obsolete or unusable when they:

1. Contain information rendered inaccurate or incomplete by new discoveries or technologies.
2. Have been replaced by more recent versions or editions of the same material and are of no foreseeable value in other instructional areas.
3. Contain demeaning, stereotyping, or patronizing references to either sex, members of racial, ethnic, religious, vocational or cultural groups, or persons with physical or mental disabilities.
4. Have been inspected and discovered to be damaged beyond use or repair.

Money received from the sale of surplus property shall be either deposited in the district reserve or general fund or credited to the fund from which the original purchase is made.

When equipment is acquired under a federal grant with a current per-unit fair market value of \$5,000 or more and is determined to no longer be needed, the awarding federal agency has a right to its share of either the current market value of equipment retained or the proceeds from its sale. The Superintendent or designee shall establish procedures to be used when selling such equipment. These procedures shall ensure a reasonable amount of competition so as to result in the highest possible revenue.

Legal References:

EDUCATION CODE

- 17540-17542: Sale or lease of personal property by one district to another.
- 17545-17555: Sale of personal property.
- 42991.5: Temporary school bus designation
- 42303: School bus sale to another district
- 60500: Determination of obsolescence
- 60510-60511: Donation or sale
- 60520-60521: Disposition of sale proceeds
- 60530: Methods of destruction
- 62000.4: Instructional materials program, sunset date

GOVERNMENT CODE

- 25505: District property; disposition; proceeds

UNITED STATES CODE, TITLE 40

- 484: Surplus property

CODE OF FEDERAL REGULATIONS, TITLE 34

- 80.32: Equipment acquired under a grant or subgrant

GIFTS, GRANTS AND BEQUESTS

The Governing Board may accept any bequest or gift of money or property on behalf of the district for a purpose deemed by the Governing Board to be suitable. While greatly appreciating suitable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students.

The Superintendent shall set up criteria to be met in the acceptance of gifts, and the procedure for examining and evaluating offers of gifts to the district.

Gifts of a permanent nature, which are fastened to buildings or grounds, are to receive the approval of the Superintendent or designee.

Gifts must not incur an unreasonable insurance and/or safety liability.

The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board believes the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

Gift books and instructional materials shall be accepted only if they meet regular district criteria.

All gifts accepted by the Board become the property of Dixie School District.

The professional staff is to report, through the Superintendent, to the Board all gifts of any type made to the school district. Upon acceptance of the gift by the Board, the Superintendent is to write a letter of acknowledgment to the person or organization making such a gift.

Legal Reference:

EDUCATION CODE

1834: Acquisition of materials and apparatus

35162: Power to sue, be sued, hold and convey property

41032: Authority of school board to accept gift or bequest; investments; gift of land requirements

Adopted: 6/13/00

EXPENDITURES/EXPENDING AUTHORITY

The Superintendent or designee may purchase supplies, materials, equipment, and services in accordance with Board policy and administrative regulations. Such purchases shall not exceed the bid limits imposed by law.

The Superintendent or designee shall maintain a balanced budget. He/she may authorize an expenditure which exceeds the budget classification allowance against which the expenditure is the proper charge only if:

1. He/she obtains Board approval, or
2. If an amount sufficient to cover the purchase is available in the budget for transfer by the Governing Board.

The Board, recognizing that prompt payment of bills improves efficiency and allows the District to take advantage of time discounts, authorizes the Superintendent or designee to make payment upon receipt of invoice provided the amount of payment does not exceed the cost shown on the purchase order by 5% or \$10.00, whichever is greater.

No district funds shall be expended for the purchase of alcoholic beverages.

All transactions entered into by the Superintendent or designee on behalf of the Board shall be reviewed by the Board every 60 days.

The Board shall not recognize obligations incurred contrary to Board policy and administrative regulations.

Legal Reference:

EDUCATION CODE

- 17604: Delegation of powers to agents; liability of agents
- 17605: Delegation of authority to purchase supplies and equipment
- 32435: Prohibited use of public funds
- 35010: Control of district; prescription and enforcement of rules
- 35035: Powers and duties of superintendent
- 35272: Educational and athletic materials
- 41010: Accounting system
- 41014: Requirement of budgetary accounting

PUBLIC CONTRACT CODE

- 20111: Contracts; bidding

Adopted: 10/25/94

Amended: 05/23/00

PURCHASING

The Superintendent or designee shall maintain effective purchasing procedures in order to ensure that maximum value is received for money spent by the district and that records are kept in accordance with law.

Insofar as possible, goods and services purchased will meet the needs of the person or department ordering them at the lowest price consistent with standard purchasing practice. Maintenance costs, replacement costs, and trade-in values shall be considered when determining the most economical purchase price.

All purchases must be approved by the administrator responsible for the school site or department. Standard purchase order forms shall be used. When possible, requirements shall be determined well in advance of the necessary delivery date.

Purchase orders shall be processed in a manner most beneficial to the district. The Superintendent or designee shall approve or disapprove on the basis of consistency with the policies, regulations, and practice of the District and shall notify the originator of the action taken.

All purchases shall be made by formal contract, purchase order, or written preauthorization by the appropriate administrator.

Legal Reference:

EDUCATION CODE

- 17604: Delegation of powers to agents; approval or ratification of contracts by governing board
- 17605: Delegation of authority to purchase supplies and equipment
- 35250: Duty to keep certain records and reports

Adopted: 10/25/94

Amended: 5/23/00

BIDS

The district shall purchase equipment, supplies and services using competitive bidding when required by law and in accordance with statutory requirements for bidding and bidding procedures. In addition, formal bids may be required whenever it appears to be in the best interest of the district.

To ensure that good value is received for funds expended, specifications shall be carefully designed and shall describe in detail the quality, delivery and service required.

To assist the district in determining whether bidders are responsible, the Governing Board may require prequalification procedures as allowed by law and specified in administrative regulation. A copy of any applicable administrative regulations shall be provided to bidders with all bid specifications.

Legal Reference:

EDUCATION CODE

- 17595: Purchases through Department of general Services
- 38023: Transportation bids and contracts for service
- 38110: Purchase of supplies through county superintendent
- 38111: Purchases by district governing board
- 38112: Purchases of necessary supplies

GOVERNMENT CODE

- 4330-4334: Preference of California-made materials
- 6252: Definitions for California Public Records Act
- 53060: Special Services and advice

PUBLIC CONTRACT CODE

- 2000-2001: Responsive bidders
- 3400: Bids, specifications by brand or trade name not permitted
- 12161: Definitions, recycled paper products
- 12168: Preference for purchase of recycled paper products
- 12169: Bidders to specify percentage of recycled paper product
- 12200: Definitions, recycled goods, materials and supplies
- 12210: Purchase of recycled products preferred
- 12213: Specification by bidder of recycled content
- 20107: Bidder's security
- 20111: Contracts over \$50,000; contracts for construction; award to lowest responsible bidder
- 20189: Bidder's security, earthquake relief
- 22002: Definition of public project
- 22032: Dollar amount limits for public projects
- 22050: Alternative emergency procedures

CONTRACTS

The Superintendent or designee may enter into contracts on behalf of the district. All contracts must be approved or ratified by the Board.

All Contracts between the district and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee.

The superintendent shall decide on a case by case basis which contracts shall include an arbitration clause.

The district upholds state nondiscrimination laws. All contracts made by the district shall contain a nondiscrimination clause in accordance with law.

Legal Reference:

EDUCATION CODE

200-262.4: Prohibition of discrimination on the basis of sex

14505: Provisions required in contracts for audits

17595-17606: Contracts

45103.5: Contracts for management consulting service related to food service

CIVIL PROCEDURES CODE

685.010: Rate of interest

GOVERNMENT CODE

12990: Nondiscrimination and compliance employment programs

53260: Contract provision re maximum cash settlement

53262: Ratification of contracts with administrative officers

LABOR CODE

1775: Penalties for violations

1810-1813: Working hours

6705: Trench excavation

PUBLIC CONTRACT CODE

4100-4114: Subletting and subcontracting fair practices

7104: Contracts for excavations; discovery of hazardous waste

7106: Noncollusion affidavit

20104.50: Construction Progress Payments

22300: Performance retentions

TITLE VII, CIVIL RIGHTS ACT, as amended by Title IX, Equal Employment Opportunity act

Adopted: 11/15/94

Amended: 5/23/00

LEASING UNUSED SCHOOL SPACE

The District will lease unused school space to outside agencies for two purposes:

- I. To maximize income for the district in order to carry on its educational programs;
and
- II. To provide space for non-profit organizations that serve the Dixie community.

In order to achieve these purposes, the following criteria will be used by administration when leasing space:

- 1) A designated amount of space may be set aside at each site to lease to pre-school and/or day care organizations. The amount and location of this space will be based on recommendations made by the administrative staff. When determining which organizations will be awarded the leases, priority consideration will be given to responsible, long-term lessees of the Dixie District. Priority will be given to financially sound organizations in the community. The terms of the leases will be negotiated with the intent of maximizing income for the District.
- 2) Additional space at each site may be leased to non-profit social service organizations which serve the Dixie community. When determining which organizations will be awarded the leases, priority consideration will be given to financially sound organizations in the community. Service to the students and parents of the Dixie District may also be considered. The terms of the leases will be negotiated with the intent of maximizing income for the District.
- 3) The remaining space may be leased to the highest bidders provided the organization is socially and financially responsible and the land use at the site will not preclude the granting of a Use Permit for the site.

The District reserves the right to investigate and take into consideration, when awarding leases, past financial and other relevant records of all prospective tenants. This includes records with the District and other lessors.

The length of all leases at each site will be determined by the Board of Trustees based on the anticipated future use of that site.

A Lease Agreement, approved by District Legal Counsel, will be executed for all leases. As provided in the lease agreement, tenants will be charged late fees for any delinquent payments. If payment is more than 30 days late, appropriate legal action will be taken.

REVOLVING CASH FUND

The Governing Board has established by resolution a revolving cash fund for use by the Superintendent or designee and is limited to payments for goods, services and other charges as determined by the Board, including supplemental payments required to correct any payroll errors.

The amount of the revolving cash fund shall be \$2000. Except in emergency situations, payments from the revolving cash fund shall be \$50 or less.

The custodian of such fund shall be the District Business Manager.

At the request of the Board, County Auditor or County Superintendent of Schools, the Superintendent or designee shall give an account of the fund.

The funds shall be deposited in a bank doing business locally, whose deposits are insured by FDIC. The Superintendent or designee shall be responsible for all payments into the account as well as expenditures from the account subject to the restrictions established by the Board.

Adequate records of receipts and payments are to be kept and the audit each year shall verify the cash balance and bookkeeping entries.

Legal Reference:

EDUCATION CODE

- 35160: Authority of governing boards
- 41020: Audits of all district funds
- 42238: Local taxation by school districts
- 42800-42806: Revolving cash fund
- 54167: Error in Salary

AUTHORIZED SIGNATURES

All payments made from the funds of Dixie school District shall be made by written order of the governing Board on forms prescribed by the Marin County Superintendent of Schools. Each such order must be signed by at least a majority of the member of the Governing Board or by the person or persons authorized by the Governing Board to sign orders in its name.

The Governing Board shall, on request of the Superintendent, authorize one or more officers or employees of the district to sign orders in the name of the Governing Board, and direct the Superintendent to file or cause to be filed with the county superintendent of schools the verified signature of each person, including members of the Governing Board, who is so authorized.

Legal Reference:

EDUCATION CODE

- 42631: Manner of payment of school district funds; provision of forms
- 42632: Authorized signatures on district orders required
- 42633: Filing of verified signatures required

Adopted: 9/1/82
Amended: 6/27/00

TRAVEL EXPENSES

The Governing Board shall authorize payment for actual and necessary expenses, including travel, incurred by any employee performing authorized services for the district.

The Superintendent or designee may approve employee requests to attend meetings in accordance with the adopted budget.

Expenses shall be reimbursed within limits approved by the Board. The Superintendent or designee shall establish procedures for the submission and verification of expense claims. He/she may authorize an advance of funds to cover no more than 80% of the estimated necessary expenses.

Legal Reference:

EDUCATION CODE

44016: Travel expense

44032: Travel expense payment

Adopted: 6/13/00

MILEAGE PAYMENT FOR USE OF PRIVATE AUTO

The Dixie School District shall provide for mileage reimbursement to employees of the district for the use of automobiles owned by the employees and used in the performance of regularly assigned duties by establishing an allowance for such use on a mileage basis.

The reimbursement rate for authorized use of employee owned vehicles shall be at the *most* recently approved rate by the Internal Revenue Service:

Specific authorization should be obtained for other than already established day-to-day operational practice.

A mileage claim on forms provided by the district must be filed for reimbursement.

Legal Reference

EDUCATION CODE

44033: Automobile allowances

Adopted: 8/23/67

Amended: 11/8/78

Amended: 3/10/82

Amended: 1/28/87

Amended: 6/27/00

INVESTMENTS

The Superintendent or designee may invest as permitted by law all or part of any surplus monies not required for immediate district operations. Such investments will be limited to those permitted by the Government Code.

The Governing Board recognizes that the Superintendent or designee has fiduciary responsibility and is subject to prudent investor standards for all investment decisions. As such, district investments must be made with skill, prudence and diligence, with the primary objective of safeguarding the principal of the funds and with the secondary objective of meeting the district's liquidity needs. In order to enhance investment return, the district's third investment objective shall be to generate an investment yield that attains or exceeds a market-average rate of return through economic cycles.

For funds on deposit with the Marin county Investment Fund, the district adopts as its own the Marin County Treasurer's statement of Investment Policy, as amended from time to time by the County Treasurer after review by the Marin county Investment Policy Review Committee and adoption by the County Board of Supervisors.

For all other funds, moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreement or to the extent not inconsistent therewith if there are no specific statutory provisions in accordance with the ordinance, resolution, indenture, or agreement of the local agency providing for the issuance.

The Superintendent or designee shall annually provide to the Board a statement of the district's investment policy. At a public meeting, the Board shall review this policy and discuss any changes to be made. In accordance with law and administrative regulations, the superintendent or designee shall also provide the Board quarterly reports with specified components, including a statement of how the district portfolio compares with the district's investment policy.

Legal Reference:

EDUCATION CODE

- 41001: Deposit of money in county treasury
- 41002: General Fund deposits and exceptions
- 41002.5: Deposit of certain funds in insured institutions
- 41003: Funds received from rental of real property
- 41015: Authorization of and limitation investment of district funds
- 41017: Deposit of miscellaneous receipts
- 41018: Disposition of money received

42840-42823: Special reserve fund

GOVERNMENT CODE

16430: Eligible securities for investment of surplus moneys

27130-27137: County treasury oversight committees

53600-53609: Investment of surplus

53630-53684: Deposit of funds

53635: Local agency funds; deposit or investment

53646: Treasurer reports and statements of investment policy

53852.5: Investment term for funds designated for repayment of notes

53859.02: Borrowing by local agency

CIVIL CODE

2261-2262: Obligations of trustees; investments

Adopted: 9/24/96

Reviewed: 7/8/97

Reviewed: 8/11/98

Reviewed: 8/10/99

Amended: 7/11/00

ANNUAL AUDIT

An audit of all district accounts and attendance procedures shall be made annually by a certified public accountant or public accountant licensed by the State Board of Accountancy, selected by the Governing Board on recommendation of the Superintendent or designee. The audit examination shall be conducted in accordance with General Accounting Office standards for financial and compliance audits.

The audit shall include all funds of the district including the student body, and any other funds under the control or jurisdiction of the district. The audit shall identify all expenditures by source of funds and shall contain:

1. A statement that the audit was conducted pursuant to standards and procedures developed in accordance with the education Code;
2. A summary of audit exceptions and management improvement recommendations;
3. A description of the specific actions that are planned or that have been taken to correct any problem identified by the auditor.

The audit shall be arranged for by the Superintendent or designee by April 1 of each year, and be completed not later than November 15. A report of the audit for the preceding fiscal year shall be filed with the County Superintendent of Schools, the Department of Education and the *State* Controller no later than December 15.

By January 31 of each year, the annual audit for the prior year shall be placed on the agenda of the Governing Board at a regularly scheduled public meeting and shall be reviewed and accepted by the Governing Board.

Legal Reference

EDUCATION CODE

- 41020: Requirement for annual audit
- 41020.3: Review of annual audit
- 41020.5: Audit not in conformance

Adopted: 6/23/82

Amended: 7/11/00

FIXED ASSETS

Inventory

In order to provide for the proper control and conservation of district property, the Superintendent or designee shall maintain an inventory of equipment. For purposes of this policy, equipment is defined as items meeting the following criteria:

1. The unit cost of the item is \$500 or greater;
2. Has a useful life of more than one year;
3. Is an independent unit rather than being incorporated into another unit item;
4. Is normally repaired rather than replaced.

The inventory shall include:

- Name and description of property
- Name of titleholder
- Serial number or other identification number
- Cost of the property (a reasonable estimate may be used if original cost is unknown)
- Acquisition date
- Location of use
- Any ultimate disposition data including the date and method of disposal and sale price.

The following additional information must be recorded for items acquired with federal funds:

- Funding source of the property
- Use and condition of the property
- Percentage of federal participation in the cost of the property.

At least once every two years, a physical inventory shall be conducted and the results reconciled with the property records.

Copies of all district inventories shall be kept at the district office. Each school shall maintain a copy of its inventory.

Capitalization

In order to account for capital assets, the Superintendent or designee shall include on the district balance sheet all assets that meet the following criteria:

1. The unit cost of the item is \$5,000 or greater;
2. Has a useful life of more than one year;
3. Is an independent unit rather than being incorporated into another unit item;
4. Is normally repaired rather than replaced.

Legal Reference:

EDUCATION CODE

35168: Inventory of equipment

CODE OF REGULATIONS, TITLE 5

3946: Control, safeguards, disposal of equipment purchased with state and federal consolidated application funds

16023: Permanent records

16035: Historical inventory of equipment

CODE OF FEDERAL REGULATIONS, TITLE 34

80.1-80.52: Uniform administration requirements for grants to state and local governments

Adopted: 3/24/82

Amended: 7/11/00

STUDENT BODY ACCOUNTS

It shall be the policy of the Dixie School District, in accordance with the California Education Code, to provide for the establishment of a Student Body Organization at each of the two 6-8 schools in order to provide opportunities for students that cannot be obtained through the regular school-student relationship.

Basic Principles Governing Student Body Finance:

- 1) The raising and expending of money by a student body organization is intended to promote the general welfare, morale, and educational experiences of the student body.
- 2) Student body funds must be used to promote and finance a program of worthwhile cocurricular activities.
- 3) Funds must be expended in a manner approved by the student governing body and for the benefit of those students currently enrolled.
- 4) Although ownership of student body funds rests with the student body, the school principal must be responsible for the conduct of financial activities.
- 5) The District business manager shall serve as consultant in financial matters for the student body accounts and shall periodically review the general financial structure and control procedures.

Money in School Buildings:

- 1) Money collected by school district employees and by student organizations shall be handled with good and prudent business procedures.
- 2) All money collected shall be receipted and accounted for and directed without delay to the proper location of deposit.
- 3) In no case shall money be left overnight in schools except in safes provided for safekeeping of valuables, and even then no more than a few dollars should be so kept. All banks used by the schools shall provide for bank deposits after regular banking hours in order to avoid leaving money in the school overnight.

Audit:

- 1) An annual audit of the books and records of each student body account shall be conducted at the time of the annual District audit by a certified public accountant.

- 2) The cost of the audit provided for by the governing board shall be paid from district general funds.

Legal Reference:

Education Code

48930 Purpose and Privileges of Student Body Organizations

48932 Authorization for Activities by Student Organizations: Fund Raising

48933 Deposit or Investment of Student Funds

48937 Supervision and Audit of Student Funds

California State Department of Education

Accounting Procedures for Student Organizations, 1979

Adopted 10/27/82

DEBT ISSUANCE AND MANAGEMENT

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

The district shall not enter into indebtedness or liability that in any year exceeds the income and revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. (California Constitution, Article 16, Section 18)

When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the Superintendent or designee shall administer and coordinate the district's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the district's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the district issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the district shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

Goals

The district's debt issuance activities and procedures shall be aligned with the district's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the district shall ensure that it:

1. Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs
2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues

4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt
5. Monitors the district's statutory debt limit in relation to assessed valuation within the district and the tax burden needed to meet long-term debt service requirements
6. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the district's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
7. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the district at the time the new debt is issued
8. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
9. Preserves the availability of the district's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt
10. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

Authorized Purposes for the Issuance of Debt

The district may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities
2. To refund existing debt
3. To provide for cash flow needs

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the district's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The district may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

Authorized Types of Debt

The Superintendent or designee shall recommend to the Board potential financing method(s) that

result in the highest benefit to the district, with the cost of staff and consultants considered. Potential financing sources may include:

1. Short-Term Debt

- a. Short-term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)
- b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)
- c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Government Code 53859-53859.08)

2. Long-Term Debt

- a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)
- b. Special tax bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code 53311-53368.3)

3. Lease financing, including certificates of participation (COPs)

- a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)
- b. Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)

4. Special financing programs or structures offered by the federal or state government, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments, when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs

5. Temporary borrowing from other sources such as the County Treasurer

COPs, TRANs, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the district in any fiscal year in which the district has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the district's repayment of that indebtedness is probable. (Education Code 42133)

Relationship of Debt to District Facilities Program and Budget

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of district property and facilities as identified in the district's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

Structure of Debt Issues

The district shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

The district shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

For new money debt issuances for capital improvements, the district shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized by voters, and, unless a waiver is sought and received from the state, will not cause the district to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.

To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.

Any general obligation bond issued by the district shall mature within 40 years of the issuance date or as otherwise required by law. (California Constitution, Article 16, Section 18; Government Code 53508.6)

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

Method of Sale

For the sale of any district-issued debt, the Superintendent or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the district. Potential methods of sale include:

1. A competitive bidding process through which the award is based on, among other factors,

the lowest offered true interest cost

2. Negotiated sale, subject to approval by the district to ensure that interest costs are in accordance with comparable market interest rates
3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the district than either a negotiated or competitive sale

Investment of Proceed

The district shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the district. Where applicable, the district's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

The management of public funds shall enable the district to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.
Refunding/Restructuring

The district may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the district shall consider the maximization of the district's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.

Internal Controls

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the district in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the district and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

The district shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter-approved bond measure.
(Government Code 53410)

When feasible, the district shall issue debt with a defined revenue source in order to preserve the

use of the general fund for general operating purposes.

The district shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any district personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

In addition, the Superintendent or designee shall ensure that the district completes, as applicable, all performance and financial audits that may be required for any debt issued by the district, including disclosure requirements applicable to a particular transaction.

Records/Reports

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

On or before January 31 of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. (Government Code 8855)

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the district's disclosure filings are updated as needed.

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later.

The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.

Legal Reference:

EDUCATION CODE

5300-5441 Conduct of elections
15100-15262 Bonds for school districts and community college districts
15264-15276 Strict accountability in local school construction bonds
15278-15288 Citizen's oversight committees
15300-15425 School Facilities Improvement Districts
17150 Public disclosure of non-voter-approved debt
17400-17429 Leasing of district property
17450-17453.1 Leasing of equipment
17456 Sale or lease of district property
17596 Duration of contracts
42130-42134 Financial reports and certifications

ELECTIONS CODE

1000 Established election dates

GOVERNMENT CODE

8855 California Debt and Investment Advisory Commission
53311-53368.3 Mello-Roos Community Facilities Act
53410-53411 Bond reporting
53506-53509.5 General obligation bonds
53550-53569 Refunding bonds of local agencies
53580-53595.55 Bonds
53850-53858 Tax and revenue anticipation notes
53859-53859.08 Grant anticipation notes

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation

Article 16, Section 18 Debt limit

UNITED STATES CODE, TITLE 15

78o-4 Registration of municipal securities dealers

UNITED STATES CODE, TITLE 26

54E Qualified Zone Academy Bonds

CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 Prohibition against fraud or deceit

240.15c2-12 Municipal securities disclosure

CODE OF FEDERAL REGULATIONS, TITLE 26

1.103 Interest on state and local bonds

1.141 Private activity bonds

1.148 Arbitrage and rebate

1.149 Hedge bonds

1.6001-1 Records

First Reading: February 14, 2017

Adoption: March 14, 2017

ENERGY CONSERVATION

It shall be the policy of the Dixie School District to promote an Energy Conservation Program at all levels that will fulfill the Board of Trustees' basic commitment to Energy Conservation.

These levels shall include:

1. District Administration
2. Maintenance, Transportation and Operations
3. School Administration
4. School Sites
5. Classrooms

The Director of Buildings, Grounds and Transportation shall be designated as the District Energy Coordinator and shall be responsible for energy conservation measures. These measures shall include, but not be limited to:

1. Use of energy-saving devices, such as energy-saving fluorescent tubes.
2. Energy-saving ballasts
3. Control of time clocks for both heating and night lighting
4. Installation of bypass and timer switches for heating and lighting
5. Proper outside air damper settings
6. Communication of energy use data to each school
7. Use of outside consultants, such as Pacific Gas & Electric Company, Schools Committee for Reducing Utility Bills (SCRUB), and other institutions that deal in energy conservation

Each principal shall be responsible for disseminating information to all staff and students on his campus and encouraging cooperation in effecting compliance with the intent of this policy.

All employees and students are expected to support and cooperate with the Energy Conservation Program in order to cut power consumption in the District to the lowest reasonable level and to involve students through essay contests, creative ideas, writing projects and competition.

TOBACCO-FREE SCHOOLS/SMOKING

Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke. As required by law, the district provides instructional programs designed to discourage students from using tobacco products. District employees are expected to serve as models for good health practices that are consistent with these instructional programs.

In the best interests of students, employees and the general public, the Governing Board therefore prohibits the use of tobacco products at all times on district property and in district vehicles. This prohibition applies to all employees, students, visitors and other persons at any school or school-sponsored activity or athletic event. It applies to any meeting on any property owned, leased or rented by or from the district.

The Superintendent or designee shall inform students, parents/guardians, employees and the public about this policy. All individuals on district premises share in the responsibility of adhering to this policy and informing appropriate school officials of any violations.

The Superintendent or designee shall maintain a list of clinics and community resources which may assist employees and students who wish to stop using tobacco products.

Legal Reference:

EDUCATION CODE

48901 Smoking or use of tobacco; steps to discourage

HEALTH AND SAFETY CODE

24167 Implementation of tobacco use prevention program

39002 Control of air pollution from nonvehicular sources

PERB RULINGSCSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS

Whenever the district contracts for school and classroom janitorial, school site administrative, school site grounds and landscape maintenance, student transportation, and school site food-related services, the Superintendent or designee shall ensure that the contracting entity certifies in writing that any employees who may come into contact with students have not been convicted of a felony as defined in Education Code 45122, unless the employee has received a certificate of rehabilitation and a pardon.

On a case-by-case basis, the Superintendent or designee may also require a contracting entity providing school site services, other than those listed above, to comply with these requirements.

These requirements shall not apply if the Superintendent or designee determines that the contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable.

In addition, these requirements shall not apply if the Superintendent or designee determines that the employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the Superintendent or designee shall consider the totality of the circumstances, including the following factors:

1. The length of time the contractors will be on school grounds;
2. Whether students will be in proximity with the site where the contractors will be working;
3. Whether the contractors will be working by themselves or with others.

Upon a determination that an employee shall have limited contact with students, the Superintendent or designee shall take appropriate steps to protect the safety of any student who may come in contact with this employee. These steps may include, but not be limited to, ensuring that the employee is working during nonschool hours, providing for regular patrols or supervision of the site from district personnel, ensuring that the employee is not working alone when students are present, limiting the employee's access to school grounds and/or providing the employee with a visible means of identification.

When the district contracts for construction, reconstruction, rehabilitation or repair of a school facility where the employees of the entity will have contact, other than limited contact with students, the Superintendent or designee shall ensure the safety of students by utilizing one or more of the following methods:

1. The installation of a physical barrier at the worksite to limit contact with students.
2. Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony.
3. Surveillance of employees of the entity by school personnel.

These requirements shall not apply if the Superintendent or designee determines that the contracting entity is providing construction, reconstruction, rehabilitation or repair services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable.

Legal Reference:

EDUCATION CODE

41302.5: School districts, definition

45122.1: Classified employees, conviction of a violent or serious felony

45125.1: Criminal background checks for contractors

45125.2: Criminal background checks for construction

PENAL CODE

667.5: Prior prison terms, enhancement of prison terms.

1192.7: Plea bargaining limitation

Adopted: 6/27/00

EMERGENCIES AND DISASTER PREPAREDNESS

In order to save lives and protect property, all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters and events which threaten to result in a disaster.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling all foreseeable emergencies and disasters. The Superintendent or designee may appoint a committee to regularly review the disaster preparedness plan and recommend changes.

The principal or designee shall appoint a school committee to augment the district plan with working plans and procedures specific to each school. He/she shall present a copy of these site plans and procedures to the Superintendent. Each school shall maintain supplies, including water, food and medical supplies, to care for students and staff on site in case of a major disaster which causes students to stay on campus for a period of time longer than a school day.

District and site plans shall address at least the following situations:

1. Fire on or off school grounds which endangers students.
2. Natural or man-made disasters. Earthquake emergency procedures must address these components:
 - A school building disaster plan for maintaining the safety and care of students and staff.
 - A drop procedure which is practiced at least once each school quarter.
 - Protective measures to be taken before, during, and following an earthquake.
 - A program to ensure that the students and staff are properly trained in the earthquake emergency procedure system.
3. Bomb threat.
4. Attack or disturbance by individuals or groups.

The Superintendent or designee shall use state-approved Standard Emergency Management System (SEMS) guidelines when updating district and site-level emergency and disaster preparedness plans. Consultation shall be made with city and/or county agencies so that district and site plans may provide the best possible way of handling each situation and also provide for emergency communications systems between these agencies and each district school.

The plan shall include:

1. Procedures for personal safety and security.
2. Ways to ensure smooth administrative control of operations during a crisis.
3. Procedures to establish a clear, effective communications system.
4. Guidelines for law enforcement involvement, including specific steps for law enforcement intervention depending upon the intensity of the crisis.

The Superintendent or designee may provide a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety.

Disaster preparedness exercises shall be held regularly at each school site and shall demonstrate how safety procedures may be applied to various types of emergencies. Fire drills shall be held at least once a month. All students and employees shall receive instruction regarding emergency plans.

The Governing Board encourages all employees to become proficient in first aid and cardiopulmonary resuscitation (CPR). The Superintendent or designee shall ascertain that at least one staff member at each school holds a valid certificate in these areas. CPR training shall be offered at least once a year for district staff.

Legal reference:

EDUCATION CODE

- 32000-32004: Uniform fire signals
- 32040: Duty to equip school with first aid kit
- 35295-35297: Earthquake emergency procedures
- 35081: Operating overloaded bus
- 38132: Mass care and welfare shelters
- 46390-46392: Emergency average daily attendance in case of disaster
- 49505: Natural disaster; meals for homeless students; reimbursement

GOVERNMENT CODE

- 3100: Public employees as disaster service workers
- 8607: Standard emergency management system

CODE OF REGULATIONS, TITLE 5

- 550: Fire drills
- 560: Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19

- 2400 et seq.: Standardized Emergency Management System Regulations

FACILITIES SECURITY

Incidents of illegal entry, theft of school property, vandalism or damage to school property from other causes shall be reported by phone to the office of the superintendent as soon after discovery as possible. A written report of the incident shall be made within 24 hours after discovery. The original should be sent to the Business Office, a copy to the building and grounds department, and a copy retained in the school files.

Keys

All keys used in a school shall be the responsibility of the respective principal. Requests for permanent issuance of keys shall be made only in those instances where the employee regularly needs a key in order to carry out normal activities necessitated by the position which the employee holds. When need for a particular key is of a temporary nature, a key shall be issued on that basis and shall be returned immediately following termination of the need for its use.

All keys shall be issued by the Director of Buildings and Grounds. A receipt showing the number of the key and room(s) or building(s) which it opens shall be signed by the person to whom the key is issued. This receipt shall be filed in lieu of the key and shall be returned to the employee upon return of the key.

Each principal shall set up a key control system with a record of the number of each key filed.

The person issued a key shall be responsible for its safekeeping and shall pay for a duplicate key if lost. Duplicate keys are obtained only through the District Business Office and any other duplication of keys is prohibited.

Keys shall be used only by authorized employees and shall never be loaned to pupils.

The greatest care shall be given to master and sub-master keys. Master keys shall never be loaned.

Legal Reference:

Penal Code 469 (Makes it a misdemeanor for any person to make or have duplicate keys for any public school building without authorization.)

Adopted 5/26/82

MAINTENANCE OF PLANT

The governing board, by law, is responsible for carrying out those activities, services, and procedures that establish a well-defined plant management policy.

Those goals shall include provisions for promoting health and safety, operating economically, protecting property values, correcting obsolescence, and promoting community pride.

The aim of the governing board shall be to adopt a maintenance program to effect operating economies by providing maximum service at the lowest possible cost.

A preventive maintenance program shall be followed in order to protect property values, reduce fire hazards, minimize the need for extensive repairs, extend the lives of the buildings and equipment, and protect the investment the community has made in buildings and sites.

School plants shall be maintained at a level consistent with the quality of the educational programs within the district. They shall create an image of efficiency and show a concern for long building life.

An inservice training program shall be provided in order to keep personnel up-to-date on new materials, processes, and procedures, so that they can make a greater contribution to the educational program and to the efficiency of their departments.

The person who directs the district maintenance and operations department has the responsibility for:

- 1) Making certain that funds are expended wisely
- 2) Budgeting personnel time
- 3) Scheduling the maintenance program
- 4) Implementing governing board policies in the most expeditious manner

Repairs, alterations, or additions to school buildings or equipment shall be performed by independent contractors, after submission of quotes or bids, by employment of craftsmen from the specific trade required, or by the District's own staff.

Legal References: Education Code	39600	Governing Board Responsibility
	39602	Governing Board Responsibility
	40052	Person in Charge of Maintenance
	39649	Repairs, Alterations, Additions

Adopted 7/24/63

Reviewed 10/24/79

Revised 8/11/82

INTEGRATED PEST MANAGEMENT (IPM)

The Dixie School District recognizes that maintenance of a safe, clean, and healthful environment for students and staff is essential to learning. It is the goal of the District to provide the safest and lowest risk approach to control pest problems while protecting students, staff, the environment, and District properties and assets.

The District adopts a Least-Toxic Integrated Pest Management (IPM) Policy. Pests will be controlled: to protect the health and safety of students and staff; to maintain a productive learning environment; and to maintain the integrity of the school buildings and grounds. It is the policy of the District to focus and develop long-term pest prevention methods and give “non-chemical” methods first consideration when selecting appropriate control measures. The full range of alternatives will be considered, giving preference to non-chemical methods, and then chemicals that pose the least hazard to people and the environment.

A Least-Toxic Integrated Pest Management (IPM) Policy contains the following elements:

1. Monitoring to determine pest population levels and identify decisions and practices that could affect pest populations
2. Setting of injury and action levels to determine when vegetation or a pest population at a specific site cause(s) unacceptable economic or medical damage wherein corrective action should be taken
3. Modification of pest habitats to deter pest populations and minimize pest infestation
4. Consideration of a range of potential treatments for the pest problem, including prevention, mechanical, cultural, and biological methods of pest control, using synthetic chemical controls only as a last resort and only those chemicals that pose the least possible hazard to people and the environment
5. Establish a committee to provide guidance, education, and support regarding IPM procedures. Members of the committee will be appointed by the Superintendent and may include the following: Superintendent or designee, Board member, IPM Coordinator, parent, certificated staff member, classified staff member, and one community member at large
6. Abstain from using any pesticide product containing an ingredient known to the State of California to cause cancer, developmental toxicity, or reproductive toxicity, pursuant to the California Safe Drinking Water and Toxic Enforcement Act of 1986, or any pesticide product containing an ingredient classified by the United States Environmental Protection Agency as a known human carcinogen, reproductive toxin, developmental toxin, or endocrine disrupter

The Superintendent shall designate a staff person to coordinate the IPM program. The IPM coordinator shall be educated in the principles and practices of least toxic IPM and be responsible to provide:

- Oversight for the successful implementation of the program consistent with this policy and coordinate all District efforts to adopt IPM
- Overall program management and provide proposed procedures and products for use in managing pest populations
- Formal notification to parents, staff, and students of any chemical pesticide application including pre- and post-signage
- Establish and maintain a registry of parents, staff, and students who have indicated they desire notification 72 hours prior to pesticide applications
- Record keeping guidelines for any chemical pesticide application
- Education and training for IPM personnel
- A list of approved procedures and products

Legal References:

EDUCATION CODE

17608-17613 Health Schools Act of 2000

48980.3 Health Schools Act of 2000

FOOD AND AGRICULTURAL CODE

13180 Health Schools Act of 2000

First Reading: October 23, 2001

Adopted: November 13, 2001

USE AND REPAIR OF TOOLS

Maintenance employees are required to furnish their own hand tools. Power tools will be furnished by the District. Sharpening of saws, saw blades, chisels, etc. will be paid for by the school district. If an employee chooses to use his own power tools on the job, the District will pay for repairs to such tools if they are damaged on the job, providing such repairs are less than 50% of replacement costs, or 50% of replacement costs if replacement is necessary. The District will retain the old tool. If an employee's tools are stolen from a vehicle, the shop, or while in use on District work, tools will be replaced by the District. However, an employee will not be reimbursed for such loss, if such loss is incurred through lack of due care. The employee should have a record of the model and original cost of the tool listed and submitted in advance to the District. Grounds personnel will be furnished with tools and equipment needed to perform their duties.

The Director of Maintenance and Operations must approve in advance any repair or replacement of damaged or stolen tools.

SPECIAL EDUCATION TRANSPORTATION

The Board of Trustees shall provide appropriate transportation services for students with disabilities or handicaps. The IEP (Individual Education Plan) team shall determine such services, if any, in accordance with state and federal guidelines, and this must be included in the IEP. The least restrictive form of transportation shall be considered by the IEP team, such as walking, riding a regular school bus, or special education vehicle. Criteria in determining the most appropriate mode shall include coordination of regular and special transportation, the student's safety and health needs, the extent to which transportation arrangements may help the student develop independent mobility skills.

Transportation for students enrolled in special education classes shall be limited to

1. Transportation between home and school and return (one round-trip only). Transportation may be provided from school to after school child care, if the child care site is within the Dixie School District boundaries
2. Transportation between school and related services specified in the IEP, such as occupational therapy, physical therapy, psychological counseling, etc., when services are provided within school hours on school days.

Legal reference:

Education Code sections 39807.5 and 41850-41854

US Code Title 20 1400 et seq.

CFR Title 34 104.4

Adopted: 3/28/95

Revised: 5/28/96

BUSING POLICY AND IMPLEMENTATION PLAN

The Board of Education of the Dixie School District may provide transportation for students to and from the schools and for approved curricular and extra-curricular activities, in accordance with rules and regulations.

The distance and number of students to be transported each year will be determined as a part of the budget-building process.

Bus stops for the school year shall be established on the following basis:

Kindergarten 3/4 mile
Grades 1 - 3 3/4 mile
Grades 4 - 8 1 mile

The District shall provide classroom instruction in safe riding practices, and shall provide bus evacuation drills for all students, early in each school year, for all students who are transported on a bus.

Fee Charges for Home-to-School Transportation

As authorized under current provisions of the California Education Code, the District shall charge fees for the Home-to-School Transportation Service used by students under the provisions of this policy.

A schedule of fees shall be adopted by the Board of Education and shall remain in effect until changed or modified by subsequent Board action.

Exemptions from fees shall be allowed for students with the following circumstances:

- a. Occasionally the District must reassign students to a school other than the one he/she would regularly attend because of District necessity. These students will not be obligated to pay for busing (disciplinary reasons excepted).
- b. Any family who qualifies under the "Federal Eligibility Scales for the Free Lunch Program" criteria shall be entitled to an Exempt Pass for their students, upon request from the parent/guardian.
- c. Any student with a permanent physical disability that restricts his/her ability to walk shall be entitled to an Exempt Pass.

Implementation of Policy

The Superintendent shall implement this policy by recommending through the budget process the staff and appropriation he deems necessary to carry out the intent of the policy. He shall cause to be developed and implemented the administrative regulations, rules and procedures he deems necessary for the proper implementation of the policy.

Adopted 7/27/60
Amended 9/11/61
Amended 8/23/67

Amended 1/22/69
Amended 5/23/79
Revised 5/23/79

Revised 12/9/81
Revised 8/12/87

FREE AND REDUCED PRICE MEALS

The Governing Board recognizes that adequate nutrition is essential to child development and learning. In accordance with law, the district shall provide free and reduced price meals for students whose families meet federal eligibility criteria.

Parents shall be informed of the district policy concerning free and reduced price meals. A letter and application form will be distributed to all parents during the first week of school. The letter will contain information on the eligibility standards, procedures for applying, and how an appeal may be filed for an adjustment in the decision with respect to their application. This information and an application form will be provided whenever a new pupil is enrolled.

A public news release containing this same information will be made available to the local news media early in the school year.

The following standards are hereby established by the Board of Trustees of the Dixie School District:

1. Free or reduced price lunches and supplementary milk will be provided for all pupils who qualify on the basis of financial need.
2. There shall be no discrimination in the furnishing of meals or supplementary milk because of race, religion, source of income, etc.
3. The anonymity of pupils receiving assistance under this policy shall be protected. The names of these pupils will be treated in a confidential manner.
4. Requests for free lunches, reduced price lunches, and supplementary milk which have been denied may be appealed to the business manager and then the superintendent.
5. Records of pupils receiving assistance will be kept in the district business office.
6. Eligibility for the free and reduced price meals program will be based on the following:

- a. Emergency Situations

A child's statement of need is sufficient for providing assistance on a temporary basis. A family contact should be made immediately to determine extent and probable duration of need. In cases of family emergency such as sudden unemployment, illness, death, desertion, or similar situation, assistance will be provided as needed.

- b. Objective Standards of Need

Eligibility for assistance, other than that for emergency situations, will be determined on the basis of income and family size as indicated on the scale provided by the state.

c. Priority for Provision of Services

Priorities for provision of free or reduced price meals shall be those established by Education Code Section 49518 if it is not possible for the district to meet all requests for such meals.

7. The Board authorizes designated employees to use individual records pertaining to student participation in any free and reduced price meal program solely for the purpose of disaggregation of academic achievement data.

Legal Reference: Education Code 49500-49504 School Meals for pupils
 49518 Priorities for provisions of services
 49519 Serving of milk
 49550-49558 Mandatory school district and county
 superintendent of schools, meals for needy pupils in
 kindergarten and grades 1-2

 California Administrative Code, Title 5 15510 et seq.
 Mandatory meals for needy pupils

Adopted: 11/23/82
Revised: 11/10/98

GREEN INITIATIVE PROGRAM

The Governing Board recognizes that as a school community we have a commitment to provide an excellent academic experience to all students. Embedded in this commitment is the responsibility of the school community to be stewards of the environment, appreciating and understanding the flow of resources that sustain us, and ways in which we can minimize the impact of our activities on resources. Supporting environmentally "green initiatives" and creating a culture of sustainability afford us opportunities to achieve integration among the District's curriculum, values, and educational mission. To reinforce the district's green initiative, the following administrative regulations address the criteria and procedures to address the following issues (in development):

1. **Reducing Waste:** The District shall develop a comprehensive waste reduction, recycling, composting, and reuse plan for all aspects of its operation. Staff and students through waste, water and energy audits will analyze audit results and set yearly goals.
2. **Environmentally Preferable Purchasing:** The District shall make efforts to purchase environmentally preferable products and services for use in day-to-day operations when quality, performance, price, functionality, and safety are comparable to their less environmentally preferable counterparts. (see separate Environmentally Preferable Purchasing Policy)
3. **Energy Conservation:** The District shall establish a plan for energy conservation at all school sites and facilities. It is committed to investing in clean renewable technologies such as solar power.
4. **Environmental Education:** Schools play a crucial role in educating students about the importance of the environment and in preparing them to be stewards of natural resources. They have a tremendous opportunity to teach children about ecological sustainability, environmental health and nutrition; while meeting math, language arts, science and social studies standards; the District shall integrate environmental education into curricula; and support students to become leaders in making their own school a healthier and more ecologically friendly place. The District's education program shall incorporate efforts to fulfill this role by offering the schools as a laboratory for sustainability. Students and staff will be part of the essential process of auditing, monitoring, implementing, and reporting on performance of stated goals in this policy.
5. **Landscaping and Grounds:** The Governing board encourages the ongoing development of natural landscaping and grounds care at District facilities to achieve reduction in water use and run off, minimize chemical usage,

incorporate integrated pest management systems, and provide habitat for native flora and fauna.

6. **Transportation:** The District promotes and supports active and efficient forms of transportation for students, staff and visitors, including walking, bicycling, school bus, public transit, and carpooling to reduce school related congestion, reduce production of greenhouse gases, and to develop lifelong sustainable habits.
7. **Sustainable Food Practices:** The District promotes sustainable food systems in our schools through such things as lunch vendors, recycling, composting, waste reduction, school gardens, and nutrition/wellness education.

Green Initiative Committee

The Superintendent has appointed a district wide "Green Initiative Team" to coordinate sustainability projects across the district and to develop a master plan and related policies.

The Green Initiative Team is represented by two Board members, one teacher from each site, two District administrators, and up to two parents from each site. Each of these individuals are invited based on interest, professional skill and/or initiative with environmental projects and sustainability. Committee members should serve at least a one year commitment.

The Green Initiative Team shall report their goals, various initiatives and results toward "greening the school community" monthly to their respected sites and to the Board on an annual basis.

First Reading: July 13, 2010

Second Reading/Adoption: August 24, 2010

HEALTH EXAMINATIONS

New Employees

The Superintendent or designee shall ensure that new District employees comply with all health examination requirements of California law.

In addition, the Superintendent or designee may require applicants for employment in classified positions to undergo a preemployment physical examination to show that they are physically able to perform the duties of specific jobs. (Education Code 45122)

Continuing Employees

Continuing employees, as well as volunteers, shall undergo periodic tuberculosis tests in accordance with law. (Education Code 49406)

The Board of Trustees may require continuing employees to undergo tuberculosis tests when warranted upon recommendation of the local health officer.

Employees may be required to pass a physical and/or psychological examination any time such an examination appears necessary to preserve the health and welfare of District students and employees or to furnish medical proof of physical or mental ability to perform satisfactorily the assigned duties of an individual's position. (Education Code 44839, 45122)

(cf. 4419.41 - Employees with Infectious Disease)

This policy shall complement existing collective bargaining agreements. Employee confidentially shall be maintained.

(cf. - Negotiated Agreements)

Legal Reference:

EDUCATION CODE

44839 Medical certificate; periodic medical examination

44839.5 Requirements for employment of retirant

44932 Grounds for dismissal of permanent employee

44942 Suspension or transfer of certificated employee on ground of mental illness, psychiatric examination; mandatory sick leave

45122 Physical examinations

49406 Examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5502-5503 Physical examination for retirants employed as substitute teacher, etc.

5504 Medical certification procedures

First Reading: June 10, 2003

Adopted: June 24, 2003

ENVIRONMENTALLY PREFERABLE PURCHASE POLICY

The Dixie Elementary School District Board of Trustees encourages the use of environmentally preferable products and services. By including environmental considerations in purchasing decisions, the district can reduce its environmental footprint and promote practices that improve human health, conserve natural resources, and reward environmentally conscious manufacturers.

School district personnel are encouraged to actively seek out environmentally preferable products and services for use in day-to-day operations when quality, performance, price, and functionality are comparable to their non-environmentally preferable counterparts. Whenever possible, they are encouraged to reduce the consumption of disposable materials, by reusing materials and by using electronic rather than paper communications when feasible.

Definition

Environmentally preferable products and services have fewer negative effects on human health and the environment when compared with competing products or services that serve the same purpose. The comparison will consider the environmental costs of acquisition of raw materials, production, manufacturing, packaging, distribution, reuse, operation, maintenance, and disposal.

Scope

- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to workers and the community.
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine-free manufacturing processes, and use wood from sustainably harvested forests.
- Maximize the proportion of goods and services that come from local providers with acceptable environmental practices wherever feasible, thereby supporting a sustainable local economy, while reducing the environmental impact of transportation.
- Institute practices that reduce waste by increasing product efficiency and effectiveness. Seek out vendors that offer to take back or recycle products at the end of their useful life.
- Seek fiscal responsibility by balancing environmental considerations, durability, performance, and price”.
- Minimize use of paper communications whenever feasible in favor of electronic means, thereby conserving resources while saving money. Consider purchasing and using recycled content paper whenever paper must be used.

- Seek opportunities to pool purchases with others to enhance markets for environmentally preferable products, to obtain favorable prices, and to reduce waste packaging, transportation, and product cost.
- Require outside contractors and consultants to use environmentally preferable products, whenever practical, in performance of their services.
- Provide professional development to maintenance staff in the proper use, storage, and disposal of supplies. Raise awareness of District Staff about the environmental issues affecting purchasing by providing relevant information and training.
- Investigate adoption of on-line textbooks and resources, where appropriate

Responsibility

Each individual is responsible for seeking and requesting environmentally preferred products. The District will provide resources to assist individuals in achieving this goal.

The Business Office will include environmentally preferable product specifications in bid documents and district contracts, as appropriate.

Reports

The Board may request status reports regarding the purchase of environmentally preferable products in such form and at such intervals as needed.

Resources

The Business Office shall maintain and distribute to staff a list of resources and educational materials regarding accessing and purchasing environmentally preferable products. The District's Green Initiative Committee will provide the Business Office with resources, as needed.

First Reading: July 13, 2010

Second Reading/Adoption: August 24, 2010

UNAUTHORIZED RELEASE OF CONFIDENTIAL/PRIVILEGED INFORMATION

Government Code 1098 (SB 1536, Ch. 962, Statutes of 1987) has made it a misdemeanor for any public officer or employee to willfully and knowingly use or disclose for monetary gain any confidential information acquired in the course of his/her official duties. This includes information included in the Dixie School District Personnel Directory. (Disclosures excepted from this prohibition are those made to law enforcement officials or to the joint legislative audit committee when reporting on improper governmental activities.)

The Governing Board, administration, and staff shall maintain the confidentiality of all confidential records until such time as laws, state regulations and/or bylaws of this district permit disclosure. Information and records pertaining to closed sessions, negotiations and student records are not subject to public disclosure under Government Code 6252-6260.

Any employee who willfully releases confidential/privileged information about students, staff, or any topic properly confined to a closed session shall be subject to disciplinary action up to and including dismissal from district service. Confidential information includes any information relating to the Board's employer-employee strategies on matters in negotiation or matters to be placed in negotiation.

Any action by an employee which inadvertently or carelessly results in release of confidential/privileged information shall be recorded, and the record shall be placed in the employee's personnel file. Depending on the circumstances, the Superintendent or designee may deny the employee further access to any privileged information and shall take any steps necessary to prevent any further unauthorized release of such information.

Legal References:

EDUCATION CODE

35010	Control of district; prescription and enforcement of rules
35146	Closed sessions (re student suspension)
44031	Personnel file contents and inspection
44932	Grounds for dismissal of permanent employees
44933	Other grounds for dismissal
45113	Rules and regulations for classified service
49060-49078	Pupil records

GOVERNMENT CODE - CONT'D:

6252 et seq.	Inspection of public records
54957	Closed session; purposes for holding; definition of "employee" exclusion of witnesses
54957.2	Taking of minutes at closed sessions; clerk; minute book
54957.6	Closed session, representatives to employee organization(s); state conciliator

GOVERNMENT CODE

1098	Public officials and employees: confidential information
3540 et seq.	Meeting and negotiating in public employment

LABOR CODE

1102.5	Employees: disclosure of information
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FEDERAL FAMILY EDUCATION RIGHTS AND PRIVACY ACT of 1974 (20 U.S.C. 1232(g))

Adopted: 2/11/97

DRUG-FREE WORKPLACE

It is the intent of the Board that the Dixie School District provide a safe and secure environment which encourages and supports students and staff in their efforts to lead healthy and productive lives. It is the policy of this district to maintain a drug-free workplace by prohibiting the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance by any school district employee. All employees shall abide by this policy as a condition of employment and shall receive a written copy of this policy.

The district shall establish and maintain a drug-free awareness program to inform employees about:

- a) the dangers of substance abuse;
- b) the district policy of maintaining a drug-free workplace;
- c) the availability of information and assistance from the Office of Substance Abuse Prevention;
- d) the penalties that may be imposed upon employees for drug-related violations.

Each employee shall notify the Superintendent of any criminal drug status conviction in the workplace no later than five days after such conviction.

The district shall take appropriate action within thirty days of receiving such notice, which may include, but is not limited to:

- a) disciplinary action against the employee which may include termination;
- b) requiring the employee to participate in a drug abuse assistance or rehabilitation program approved by the district.

The district shall notify the appropriate federal, state or local agency as required by law of the employee's conviction within ten days of receiving notice from the employee.

The Superintendent/designee shall notify the federal government that the Dixie School District maintains a drug-free workplace and will make a good faith effort to continue to maintain a drug-free workplace through the implementation of this policy.

For the purposes of the definition of the term "drug" as used throughout this policy, it shall mean any controlled substance defined by Health and Safety Code Section 11007, including both alcohol and marijuana, but excluding tobacco.

USE OF OFFICE EQUIPMENT AND SUPPLIES

The purpose of all office equipment and supplies in the Dixie School District is to facilitate the work being done on behalf of the children, parents, districts and community. This requires the efficient, ethical, and legal utilization of all equipment such as, but not limited to, computers, software, telephones, voice mail, copiers, facsimile machines, typewriters, and supporting supplies belonging to the Dixie School District. Employees who violate the principles set forth in this policy may be subject to disciplinary action up to and including dismissal.

The Superintendent shall develop a list of terms and conditions for the acceptable use of office equipment and supplies.

PERSONNEL SELECTION - CERTIFICATED

The district shall engage in fair and sound personnel practices in the appointment of all district employees.

Other than the exceptions noted below, certificated employees of the Dixie School District shall be appointed only upon recommendation of the Superintendent and approval by the Board.

Exceptions to this will be for substitute and extra hire employees required in an emergency and non-recurring conditions. These employees shall be employed upon the authorization of the Superintendent.

It shall be the duty of the Superintendent of Schools to see that persons nominated for employment shall meet all qualifications established by law and by the Board for the type of position for which nomination is made.

The administration shall be responsible for establishing recruitment, selection and appointment procedures.

Legal References: Education Code 44066, 44830, 44830.5, 44858, 44859

Adopted 2/8/61

Amended 6/11/69

Amended 5/26/70

Amended 9/11/74

Amended 1/24/79

Amended 4/14/82

EQUAL OPPORTUNITY EMPLOYMENT AND AFFIRMATIVE ACTION

The Board of Trustees of the Dixie School District hereby declares that Dixie District is an equal opportunity employer. It will be the policy of the district to provide equal opportunity employment for all persons and to prohibit discrimination based upon race, sex, color, religion, age, physical handicap, ancestry or national origin in every aspect of personnel policy and practice in employment, development, advancement, and treatment of employees; and to promote the total realization of equal employment opportunity through a continuing affirmative action program.

To implement an affirmative action program in the Dixie School District, the Superintendent is directed to determine statistically the racial, ethnic and sex composition of the current employee force in Dixie. This data shall then be used to determine the areas of underutilization of personnel by race, ethnic balance or sex. As openings occur, recruitment and application procedures will be used which encourage applications for underutilized personnel by race, sex, or ethnic background.

It is the position of the Board of Trustees that affirmative action programs are involved primarily in the recruitment/application steps of employment, and that the final employee selection will be determined on the basis of the best qualified person for the position, regardless of race, ethnic origin, or sex.

The Superintendent or his designee is hereby designated the Affirmative Action Officer responsible for implementation of this policy in keeping with applicable state and federal law and regulations.

Legal Reference: Title V Div. 1, Ch. 4 Sec. 30-31 (5/20/78)

Adopted 12/3/75

Reviewed 3/14/79

NONDISCRIMINATION ON THE BASIS OF SEX IN DISTRICT EMPLOYMENT ACTIVITIES

- 86.42 et seq. District Employment Activities. Applies to all aspects of the district's employment programs, including but not limited to, recruitment, advertising, process of application for employment, promotion, granting of tenure, termination, layoffs, wages, job assignments, leaves of absence of all types, fringe benefits, training programs, employer-sponsored programs, including social or recreational programs and any other term, condition or privilege of employment. Specifically the following personnel employment practices are prohibited:
- 86.52 a. Tests. Administration of any test or other criterion which has a disproportionately adverse effect on persons on the basis of sex unless it is a valid predictor of job success and alternative tests or criterion are unavailable;
- 86.53 b. Recruitment. Recruitment of employees from entities which furnish as applicants only or predominately members of one sex, if such action has the effect of discriminating on the basis of sex;
- 86.54 c. Compensation. Establishment of rates of pay on the basis of sex;
- 86.55 d. Job Classification. Classification of jobs as being for males or females;
- 86.56 e. Fringe Benefits. Provision of fringe benefits on basis of sex; all fringe benefit plans must treat males and females equally;
- 86.57-60 f. Marital and Parental Status. Any action based on marital or parental status; pregnancies are considered temporary disabilities for all job-related purposes and shall be accorded the same treatment by the district as are all other temporary disabilities. No inquiry shall be made by the district in job applications as to the marriage status of an applicant, including whether such applicant is "Miss or Mrs." But, inquiry may be made as to the sex of a job applicant for employment if made of all applicants and is not a basis for discrimination.
- 86.60-61 g. Employment Advertising. Any expression of preference, limitation, or specification based on sex, unless sex is a bona fide occupational qualification for the particular job in question.
- 86.3 Policy Enforcement. To ensure compliance with this policy, the superintendent shall:
- 86.4; 1. be designated as Title IX Compliance Officer for the District:
- 86.8
- 86.23; a. to coordinate efforts of the district to comply with this policy;
- 86.36 b. to develop and ensure the maintenance of a filing system to keep all records required under this policy;
- c. to investigate any complaints of violations of this policy;
- d. to administer the grievance procedure established in this policy; and
- e. to develop affirmative action programs, as appropriate; and

NONDISCRIMINATION (continued)

2. provide for the publication of this policy on an ongoing basis to students, parents, employees, and district employee unions or organizations, such publication to include the name, office address and telephone number of the compliance administrator designated pursuant to this policy in paragraph 1., above.

Grievance Procedure. Any student or employee of this district who believes he or she has been discriminated against, denied a benefit, or excluded from participation, in any district education program or activity, on the basis of sex in violation of this policy, may file a written complaint with the compliance administrator designated in paragraph 1. of this policy above. The compliance administrator shall cause a review of the written complaint to be conducted and a written response mailed to the complainant within ten working days after the receipt of the written complaint. A copy of the written complaint and the compliance administrator's response shall be provided each member of the Board of Education. If the complainant is not satisfied with such response, he or she may submit a written appeal to the Board of Education indicating with particularity the nature of disagreement with the response and his or her reasons underlying such disagreement.

The Board of Education shall consider the appeal at its next regularly scheduled Board meeting following receipt of the response.

The Board of Education shall permit the complainant to address the Board in public or closed session, as appropriate and lawful, concerning his or her complaint and shall provide the complainant with its written decision in the matter as expeditiously as possible following completion of the hearing.

- 86.31 Evaluation. The Superintendent shall present a report to the Board of Education in a public meeting on or about July 21, 1976, and in a public meeting to be held on or about the anniversary of that date each year thereafter, describing this district's compliance with this policy during the previous year, which report can be the basis of an evaluation of the effectiveness of this policy by the Board of Education and a determination as to whether or not additional affirmative action is necessary in light of all the facts.

- 86.14 Exemptions. This policy does NOT apply to the following organizations:
1. YMCA, YWCA, Girl Scouts, Boy Scouts, and Camp Fire Girls;
 2. Voluntary youth service organizations which are exempt from taxation under Sec. 501(a) of the U.S. Internal Revenue Code of 1954 and the membership of which has been traditionally limited to members of one sex and principally to persons of less than nineteen years of age.

See also Policy 6152, Nondiscrimination on the Basis of Sex in Education Programs and Activities

Legal Reference:

As shown in parentheses to the specific relevant sections of the U.S. Department of Health, Education, and Welfare's regulations implementing TITLE IX in Part 86, Title 45, U.S. Code.

Board Adopted 8/4/76

EMPLOYMENT OF MEMBERS OF THE SAME FAMILY

The following policy shall govern conflict of interest in the employment of all personnel:

1. Persons related by blood or marriage to a governing board member may only be employed following full disclosure of the relationship by the governing board member in a public meeting and sufficient vote of appointment without counting the vote of the related governing board member.
2. Persons related by blood or marriage to a management employee shall not be appointed to a position that is in a line relationship involving supervision and evaluation of the position.
3. Members of the same family may be employed in the same department or work location when approved in writing by the superintendent or the superintendent's designated representative. (Exception: members of the same family shall not be approved in direct line of supervision.)
4. No person related by blood or marriage to any employee or governing board member shall be given any special consideration.

It is the intent of these rules to avoid any situation when there can arise a conflict of interest either on the part of a member of the governing board or a member of management.

The term "related by blood or marriage" refers to brother, brother-in-law, daughter, stepdaughter, foster daughter, daughter-in-law, father, stepfather, foster father, father-in-law, granddaughter, grandfather, grandmother, grandson, husband, mother, stepmother, foster mother, mother-in-law, sister, sister-in-law, son, stepson, foster son, son-in-law, wife, or any relative living in the immediate household of the governing board member or management employee.

Legal References: Education Code 35233, 35234, 35235, 35236

Adopted 8/25/82

PERSONNEL RECORDS

Confidential records shall be maintained for each employee. The employee may have access to this file except that he may not review confidential letters of recommendation and the evaluations made by the Dixie Staff for employment.

Records maintained in the Personnel Office shall include:

1. Completed application for employment in Dixie School District.
2. Current evidence, not more than four years old, that the employee is free from active tuberculosis.
3. The Loyalty Oath
4. Performance Appraisals.

Payroll records shall be maintained for each employee. These records shall be open to the employee and shall contain the following items:

1. Copy of Notice of Employment Conditions.
2. Form W-4, Withholding Tax.
3. Records of all absences and leaves.
4. All authorizations for payroll deductions.
5. Marin County Schools System Record Card.

Adopted 8/23/67

Revised 2/24/82

CRIMINAL RECORD SECURITY PROCEDURES FOR THE DIXIE SCHOOL DISTRICT

It shall be the policy of the Board of Trustees that the security and privacy of criminal record information pertaining to employees and applicants for district positions will be maintained.

The Superintendent will have the responsibility for the development of appropriate regulations to assure the security of such records.

Legal Reference: Gov. Code, Title 2, Div. 3, Part 1, Chapter 4.5
Penal Code Section 11077
Penal Code Section 11075 through 11081
Administrative Code, Title 11, Chapter 1

Adopted 11/17/81

LEGAL STATUS REQUIREMENT

In accordance with the Immigration Reform and Control Act of 1986, the District shall ask all new employees to provide documentation of employment eligibility. The District shall hire only citizens and aliens who are lawfully authorized to work in the United States. District employment practices shall not discriminate on the basis of citizenship status or national origin, nor shall they discriminate against any refugees, grantees of asylum, or persons qualified for permanent or temporary residency.

New Employees

Within three (3) days of employment, all new employees shall show the Personnel Assistant appropriate documents which certify that they are legally eligible to work. Documents specified by law which serve this purpose shall be those stated in school district administrative regulation.

The Personnel Assistant shall examine the documents presented and ask the employee to complete and sign Immigration and Naturalization Form I-9.

The Personnel Assistant shall then complete and sign the I-9 form and keep it on file until a full year after the employee leaves the job. All I-9 forms must be kept on file for at least three (3) years from the hiring date.

I-9 forms shall be available for inspection by Immigration and Naturalization service (INS) or Department of Labor officers upon request.

Because the documents required to determine employment eligibility may contain confidential information which could affect decisions regarding hiring and/or advancement, administrative regulations shall provide procedures to protect the full confidentiality of any copies of such documents made by the District.

Current Employees Hired After November 6, 1986

By September 1, 1987, I-9 forms shall be completed in a like manner for all current employees who were hired between November 6, 1986, and May 30, 1987. Any employee hired on or after June 1, 1987, who has not completed the form must do so immediately.

The Governing Board recognizes that unauthorized aliens who were hired after November 6, 1986, may qualify for amnesty. The District shall make every effort to assist past and present employees who may qualify for amnesty by providing documentation of employment history with out delay upon request. School personnel shall use the district legalization assistance form (E4112.5/1212.5) to advise undocumented aliens that legalization assistance is available from qualified entities designated by the Immigration and Naturalization Service.

Legal Reference: Immigration Reform and Control Act of 1986

Adopted 8/26/87

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

The Governing Board desires to ensure that district-provided transportation is safe for students, staff, and the public. To that end, the Superintendent or designee shall establish a drug and alcohol testing program for all district drivers and other employees who hold a commercial driver's license which is necessary to perform duties related to their employment with the district. This program shall be designed to fulfill the requirements of state and federal law.

The district's testing program shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers. (49 USC 31306)

The Superintendent or designee shall contract for testing services and shall ensure that testing contractors and procedures are certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis and to conform to the requirements of federal law.

(cf. 4020 - Drug and Alcohol-Free Workplace)

Any driver who tests positive for alcohol or drugs or who refuses to submit to a test shall be removed from safety-sensitive functions and may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.

(cf. 4219 – Dismissal of Classified Personnel)

The Superintendent or designee shall ensure that each driver receives an explanation of the federal regulations and the district's policy and procedure in accordance with law. In addition, each driver shall sign a statement certifying that he/she has received a copy of the above materials. Representatives of employee organizations shall be notified of the availability of this information. (49 CFR 382.601)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

VEHICLE CODE

34500-34520.5 Safety regulations

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety, especially:

1213.1 Placing drivers out-of-service

UNITED STATES CODE, TITLE 49

31306 Alcohol and controlled substances testing

41501-41507 Transportation Employee Testing Act

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413 Part 40, Procedures for transportation workplace drug and alcohol testing programs

382.101-382.605 Controlled substance and alcohol use and testing; especially:

382.205 On-duty use

382.207 Pre-duty use

382.209 Use following an accident

382.601 Employer obligation to promulgate a policy on the misuse of alcohol and use of controlled substances

First Reading: August 26, 2008

Adopted: September 9, 2008

POLICY ON DISTRICT NEEDS

Pursuant to provisions of Education Codes 44844-44846, the Governing Board of the Dixie School District hereby determines that the needs of the District, and the students thereof, are as follows:

Maintenance of teachers who provide Special Education and teachers considered best qualified to integrate the use of Technology and provide instruction in the priority subjects:

Science, Mathematics, Language Arts and Social Studies (CORE), Foreign Language, and Visual and Performing Arts

Priority will be given to those teachers with a record of evaluated Dixie experience in two of the priority areas cited above.

Should an unforeseen number of teachers depart the District for any reason, the administrative ordering will give equal priority to the best qualified teachers who meet the needs of the students and District.

The above cited need will form the basis for determining the seniority of teachers with the same first day of paid service, and who are under consideration for reduction in force proceedings.

Adopted 2/8/78
Revised 2/7/79
Revised 2/27/80
Amended 2/25/81
Amended 2/24/82
Amended 2/23/83
Amended 2/22/84
Amended 2/27/85
Amended 2/26/86

Amended 2/25/87
Amended 2/24/88
Reviewed 2/13/90
Reviewed 2/12/91
Reviewed 2/25/92
Reviewed 2/23/93
Amended 5/25/93
Amended 3/8/94
Reviewed 2/14/95
Revised: 1/28/97

RESIGNATION

The Superintendent, or his designee, shall be authorized by the Board of Trustees to officially accept the resignation of any employee. Acceptance of resignation shall be effective at the time of the receipt by the Superintendent.

Ed. Code: 54201

Adopted 10/27/82

MANDATORY RETIREMENT

The Education Code provides that when a certificated employee reaches the age of 70 years, his/her permanent and/or probationary classification shall cease and thereafter employment shall be from year to year at the discretion of the governing board.

Ed. Code 44906

Adopted	2/28/68
Revised	4/23/80
Reviewed	4/28/82

PHASED-IN EARLY RETIREMENT PLAN, CERTIFICATED EMPLOYEES

It is the intent of the Board of Trustees of the Dixie School District in adopting this Policy to allow certificated employees to reduce their workload from full-time to part-time duties as they approach retirement.

This plan permits members of the State Teachers Retirement System who are part-time employees to have retirement benefits based on full-time employment if the employee and the employer both elect to make contributions required for full-time employment. However, the salary shall be pro-rated from the full-time position and the position shall be a minimum of a half-time position. Such employment shall be for no more than a five year period just prior to retirement and the employee must be 55 years of age to apply. It is limited to employees who do not hold positions with salaries above that of a school principal.

The Board reserves the right to adopt the administrative regulations to implement this policy and the sole discretion to grant or not grant Phased-In Early Retirement under this policy.

Ed. Code 44922, 22724

Adopted 5/28/75
Reviewed 4/9/80

EARLY RETIREMENT INCENTIVE PROGRAM, CERTIFICATED MANAGEMENT EMPLOYEES

It is the intent of the Board of Trustees of the Dixie School District in adopting this policy to allow certificated employees not covered by a Collective Bargaining Agreement the opportunity to serve as consultants after retiring from the District.

Employees desiring to participate in this program shall:

- a. Be at least 55 years old, and
- b. Be employed in the District for at least ten (10) years. The ten years need not be consecutive full-time employment, but employment must be full-time at the date of entry into the program.

Employees desiring to participate in this program shall apply on or before March 1st, prior to the beginning of the school year during which the applicant wishes to serve as a consultant under this program. An unusual unforeseen circumstance could be approved by the Board of Trustees, and application may be made after March 1st.

The Superintendent and the employee shall mutually determine annually the services to be rendered and shall reduce to writing a description of such services. The written description shall be attached to the Early Retirement Incentive Program Agreement. Any change in services during the contract year shall be made only as mutually agreeable to the employee and the District.

Employees entering this program must submit a written resignation and have it accepted by the Board of Trustees prior to entering this program. The resignation is contingent upon the acceptance by the Board of Trustees of the employee's participation in the Early Retirement Incentive Program.

Employees participating in this program shall enter into a written agreement with the District. The ERIP Agreement shall be a one-year contract which is renewable, upon completion of the previous years' service, on an annual basis or up to five (5) years or until the end of the school year in which the retired employee reaches age sixty-five (65), whichever comes first. The contract may be terminated by the district for failure to perform the assigned activity. With the specific and prior approval of the Board of Trustees, the years of service need not be consecutive.

Entrance into the program is subject to review and approval by the Board of Trustees.

EARLY RETIREMENT INCENTIVE PROGRAM, CERTIFICATED MANAGEMENT EMPLOYEES (Cont'd.)

Employees in this program shall serve for thirty (30) days per school year, or provide equivalent service.

Employees in this program shall be compensated at a base salary of five thousand (\$5,000) dollars plus a dollar amount equal to the cost of health and similar benefits at the level of coverage provided the participant at the time of his/her entry into the program. The District and the employee shall mutually agree on the schedule for payments.

Upon entering this program, the employee shall begin receiving State Teachers Retirement System retirement benefits. He/she may withdraw from the program at any time, but he/she may not change options or return to full-time employment.

Entrance into this program is voluntary at the request of the employee.

Adopted 3/14/84
Amended 3/12/86

TEMPORARY/SUBSTITUTE PERSONNEL – PAID SICK LEAVE**Paid Sick Leave**

Under provision of the Healthy Workplaces/Healthy Families Act of 2014, any temporary or substitute employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246)

A temporary or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)**

1. The diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or his/her family member as defined in Labor Code 245.5
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

For the purpose of this policy, temporary or substitute employees is defined as those employees hired in a substitute capacity, or hired to perform additional or extra duties for a short-term duration or hired to perform duties on an irregular basis, and who are not otherwise afforded leaves during their employment for Dixie School District. Temporary or substitute employees do not include retirees of the California Public Employees Retirement System.

For the purposes of this policy, family member is defined as follows:

- a) A child, which for purposes of this article means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
 - b) A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
 - c) A spouse.
 - d) A registered domestic partner.
 - e) A grandparent.
 - f) A grandchild.
 - g) A sibling.
3. Sick leave can only be used when the temporary or substitute employee has accepted an assignment with the Dixie School District. A temporary or substitute employee cannot use the same sick day in multiple school districts.

No employee shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against any employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249. The Superintendent or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep of records of employees' use of sick leave for three years, and comply with other requirements specified in Labor Code 245-249

First Reading: September 8, 2015

Second Reading and Adoption: October 13, 2015

STUDENT TEACHERS

The Board of Trustees of the Dixie School District intends to cooperate with the colleges and universities in the area by accepting student teachers from these colleges. Applications from the colleges and universities requesting acceptance of student teachers will be accepted by the Superintendent. The Superintendent may seek university or college participation.

Prior to placement of student teachers in the district by any given college or university, the proposed plan will be presented to the Board of Trustees for approval. Action to approve will mean approval from year to year unless revoked.

Where contracts are necessary in order to obtain financial support from the participating college or university, the Superintendent is authorized by this policy to sign such necessary agreements and to report his actions to the Board of Trustees, giving the dates of his actions.

Actions to revoke agreements between the District and colleges or universities shall take place prior to December 1st or May 1st for the next succeeding semester.

Adopted 11/11/64

Reviewed 6/27/79

Reviewed 6/23/82

STAFF DEVELOPMENT FOR PROBATIONARY CERTIFICATED EMPLOYEES

It is the policy of the Governing Board that the District shall recognize probationary certificated employees' potential need for training, assistance, and evaluation to help them improve their performance. Probationary certificated employees shall be evaluated annually and given the opportunity to increase their competency through staff development programs offered by, but not limited to, the District, the Marin County Office of Education, and the Teacher's Learning Cooperative (TLC).

Any Probationary certificated employee who believes his/her needs for training, assistance and evaluation are not being considered by the District shall present a written request to the evaluator assigned. Resolution of any request under this policy shall be by the Superintendent.

This policy shall be reviewed annually by the governing board.

Legal reference: Education Code 35160.5 (b) (SB 813)

Adopted: 11/28/84

TRAVEL AND CONFERENCES

The Board of Trustees of the Dixie School District recognizes that new ideas, findings from research studies, and a general knowledge of the changing conditions in the world of education are necessary for the continued growth and improvement of the Dixie program. The Board of Trustees further recognizes that attendance at conferences, and visits to selected school systems, colleges and universities, by appropriate Board and staff members, will assist the District in keeping abreast with the times. To that end, the Board of Trustees will budget money for attendance at conferences and for selected trips.

It is the intent of the Board of Trustees to send those staff members to conferences who are in the best position to obtain and effect the greatest benefits for the District.

The Superintendent is directed to establish appropriate regulations to implement the policy.

Adopted 11/27/63
Amended 10/24/79
Reviewed 9/1/82

EMPLOYEE GRIEVANCE PROCEDURE

The Board of Trustees recognizes the need to establish procedures and channels wherein employees may seek redress of grievances of concern to them. Therefore, the Board of Trustees has directed the Superintendent to establish a written grievance procedure for employees not covered by a Collective Bargaining Agreement which has, as its purpose, to secure at the lowest possible administrative or policy level, proper and equitable solutions to grievances, and to guarantee an orderly succession of procedures within which solutions may be pursued.

The Superintendent shall develop and implement administrative regulations to carry out this policy.

Adopted 6/25/75
Amended 1/23/80
Amended 5/26/82

SUBSTITUTE TEACHER SALARY RATE

Substitute teachers shall be paid at a rate adopted by the Board which is designed to attract the best qualified and most experienced teachers. This rate will apply for the first fifteen consecutive school days substitution position.

Beginning with the 16th consecutive day of substitution in the same position, the substitute shall be placed on the same step and scale the substitute teacher would be placed upon as a regular contract teacher.

Adopted 6/10/64
Amended 5/24/67
Amended 7/24/68
Amended 7/28/71
Amended 11/14/73
Amended 1/23/80
Reviewed 3/23/83
Amended 7/14/98

PAYROLL DEDUCTIONS

Payroll deductions, authorized by law and approved by the County Superintendent of Schools and County Board of Supervisors, may be authorized by the Board of Trustees of the Dixie School District. Authorization will only be granted within the limits of categories feasible under current electronic data processing procedures.

Authorizations may be granted until revoked, or for limited periods of time.

Ed. Code: 44041, 44042, 45060, 45168

Adopted 11/11/64

Reviewed 10/24/79

Ed. Code amended 6/9/82

DIXIE SCHOOL DISTRICT
HEALTH AND WELFARE BENEFITS

Policy 4144/4244

It is the intent of the Board of Trustees to allocate funds each year for the purpose of assisting employees not covered by Collective Bargaining Agreements with obtaining health and welfare benefits.

The amount of health and welfare benefits will be reviewed annually.

Provisions for expansion of these insurance fringe benefits (for example, to cover dependents) by the employee through his own additional payment, through payroll deduction, may also be provided.

Management and Confidential employees who retire from District service shall be entitled to District paid medical benefits as stipulated in the appropriate Certificated and Classified Collective Bargaining Agreements.

For the purpose of this policy, the following positions are designated as management and confidential:

MANAGEMENT	Appropriate Bargaining Agreement	CONFIDENTIAL	Appropriate Bargaining Agreement
Superintendent	(Certificated)	Superintendent's Secty.	(Classified)
Principals	(Certificated)	Personnel Assistant	(Classified)
Curriculum Coordinator	(Certificated)	Business Manager's	(Classified)
Business Manager	(Certificated)	Secretary	
Director of Buildings/ Grounds/Transportation	(Certificated)	Staff Secretary II (Supt.'s Office)	(Classified)
Coordinator of Music	(Certificated)		
Assistants for Guidance	(Certificated)		

Management and Confidential employees who retire from District service, not eligible to receive District Paid medical benefits, shall be allowed to participate in District Group Health Plans, up to age 65, by the retiree contributing the full premium, in advance, to the District for remittance to the insurance carrier.

Procedures to implement this policy are the same as used for employees covered by Collective Bargaining Agreements.

Ed. Code 44041

Adopted 9/55
Amended 3/8/67
Amended 7/28/70
Amended 6/10/74
Revised 1/23/80
Amended 9/22/82
Revised 12/8/82

ACCIDENTS - WHILE ON THE JOB

Workers' Compensation Insurance shall be provided employees of the District under a county contract or policy carried by the County Superintendent of Schools.

Regulations and procedures requiring all employee accidents to be properly reported and documented shall be prepared by the Superintendent.

Ed. Code: 1252

Adopted 8/23/67
Amended 11/28/79
Reviewed 1/26/83

JURY DUTY/SUBPOENAED WITNESS LEAVE

Management, confidential and classified employees not covered by collective bargaining contracts shall be granted leave for jury duty or service as a subpoenaed witness under the following conditions:

1. Jury Duty: A leave with pay shall be granted to employees called for jury duty in the manner provided for by law. An employee who receives a jury summons shall submit a copy of the summons to his/her supervisor. At the conclusion of jury duty, the employee shall submit a statement from the Jury Commissioner's Office specifying the dates and times served by the employee. This shall be attached to the Employee Absence Report. Payment shall be made to the District in the amount of the statutory fees which the employee has received for attendance as a juror, excluding the statutory mileage fee.
2. Witness: An employee may be granted a leave with pay when subpoenaed to appear as a witness, other than as a litigant, in a court of law or another governmental tribunal for reasons not brought about through the connivance or misconduct of the employee. An employee requesting such leave shall submit a copy of the subpoena. At the conclusion of his/her appearance, the employee granted leave shall submit a verified statement, specifying the dates and times the employee appeared. This shall be attached to the Employee Absence Report. Payment shall be made by the employee to the District in the amount of the statutory fees which the employee has received for appearing as a witness, excluding the statutory mileage fee.

Ed. Code: 44036, 44037

Adopted 11/14/62

Revised 12/12/79

Amended 8/11/82

MATERNITY AND MATERNITY DISABILITY

Management, confidential and classified employees not covered by a collective bargaining contract shall be eligible for maternity and maternity disability leave under the provisions of the Education Code.

Legal References: Ed. Code 44965, 44978, 45193

Adopted 5/56
Amended 8/24/60
Amended 8/25/65
Amended 3/24/71
Amended 5/24/73
Amended 9/26/73
Revised 1/9/80
Reviewed 3/9/83

UNCOMPENSATED LEAVE

At the discretion of the Governing Board, permanent Management, Confidential and Classified employees with not less than three years' service in the District and not covered by the collective bargaining agreements, may be granted a leave of absence for a period not in excess of two years. There shall be no compensation for such leave and no salary increment shall accrue during it.

The employee shall submit a written request to the Governing Board, delivered to the Personnel Office, no later than February 15th prior to the year in which the leave is requested. The request shall state the reasons for and the duration of the leave desired.

On or before February 1st of the year in which the employee's uncompensated leave expires, the District will provide the employee with a form for indicating his/her intention to return or not return the following school year. The employee must complete and return the form to the Personnel Office by February 15th. Unless the District agrees otherwise, failure to comply with this requirement will constitute a resignation to become effective at the close of the school year in which the employee is on leave. The District at any time during the leave may request a statement of the employee's intention to return to duty at the expiration of the leave. The above wording of this paragraph will be included on the form.

Ed. Code: 44966, 44967, 44968.5, 44973

Adopted 12/12/79

Revised 5/26/82

SICK LEAVE

Management, confidential and classified employees not covered by collective bargaining contracts are entitled to ten (10) days annual sick leave, if a full time ten-month employee, and twelve (12) days annual sick leave, if a full time twelve month employee.

Leave of absence shall be granted for personal illness, accident, or physical disablement.

No payment for sick leave shall be made until submission by the employee of the form specified by the District and signed by the employee and immediate supervisor.

A physician's written verification of the reason for absence due to illness or accident may be required by the District prior to payment.

Ed. Code 44978/45191

Adopted 2/9/66
Amended 9/26/73
Amended 4/28/76
Revised 1/9/80
Amended 1/12/83

PERSONAL NECESSITY LEAVE

Management, confidential and classified employees not covered by collective bargaining contracts may use at his/her election, during any school year, not more than six (6) days of accumulated sick leave in the case of personal necessity. The employee shall not be required to secure advance permission for leave taken for either of the following two reasons:

1. Death or serious illness of a member of his/her immediate family. Immediate family means mother, father, grandmother, grandfather, or the grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the employee or any relative living in the immediate household of the employee.
2. Accident involving his/her person or property, or the person or property of a member of his/her immediate family.

The Superintendent, at his discretion, may require proof of all personal necessity leave.

The employee shall submit a written request to the Superintendent to secure advance permission for personal necessity leave other than for the type enumerated above.

Ed. Code:44978.5, 44981, 45207

Adopted 12/8/65
Amended 2/10/70
Revised 1/9/80
Reviewed 11/10/82
Reviewed 10/19/93

BEREAVEMENT LEAVE

Management, Confidential and other employees of the classified service not covered in a collective bargaining contract are entitled to a leave of absence, with full pay, not to exceed three (3) days, or five (5) days if out of state travel is required, on account of the death of any member of the employee's immediate family. Members of the immediate family mean the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother or sister of the employee, or any relative living in the immediate household of the employee.

Ed. Code: 44985, 45194

Adopted 12/12/79
Amended 2/9/83

FAMILY CARE AND MEDICAL LEAVE POLICY

Under the federal Family and Medical Leave Act of 1993 and the California Family Rights Act (collectively, "the Acts"), eligible employees are entitled to up to 12 work-weeks of unpaid, job-protected leave within a 12 month period for family and medical reasons. The Dixie School District ("District") intends to comply with the Acts and their pertinent regulations, and the interpretation of this policy is governed by the Acts.

The following conditions, requirements, and procedures shall apply when requests for family care of medical leave are made:

- A. Employee Eligibility. To be eligible for benefits under the Acts, an employee must:
1. Have worked for the District for at least 12 months;
 2. Have worked at least 1,250 hours over the previous 12 months for the District or are classified as full time employees of the District; and
 3. Be one of at least 50 employees employed by the District within 75 miles of the employee's work site.
- B. Reasons for Taking Leave. A leave request from an eligible employee must be granted for any of the following reasons:
1. Birth of the employee's child;
 2. Placement of a child with the employee for adoption or foster care;
 3. Care for the employee's child, spouse, parent, or domestic partner;
 4. The employee's own serious health condition that keeps the employee from performing his or her job functions.
- C. Advance Notice of Leave and Medical Certification. Employees will provide (1) advance written notice of the leave request, (2) medical certification whenever a serious health condition is involved and (3) a completed District Employee Request for Family Care and Medical Leave.
1. If the need for the leave is foreseeable, employees will provide 30 days advance written notice. The advance notice should include the Employee Request for Family Care and Medical Leave form. If the need for the leave is unforeseen (i.e., an emergency), notice is required to be given as soon as practicable.
 2. If the leave is to care for a family member with a serious health condition, or because of the employee's own serious health condition, the employee will provide medical certification from a health care provider or physician. The medical certification must include:
 - a. Date of commencement of the serious health condition;
 - b. Probable duration of the condition;
 - c. Estimated amount of time the health care provider will provide care;
 - d. Confirmation that the serious condition of the child, spouse or parent warrants the participation of the employee; or, in the case of the employee's own serious health condition, certification that the employee is unable to perform his or her job functions.

3. The District may require a second and third medical opinion regarding an employee's serious health condition, at the District's expense. When the duration of the leave is uncertain or the estimated time for the leave expires and the employee remains out of work, the District may require subsequent recertification.
4. If the leave is needed for planned medical treatment or supervision, the employee must make a reasonable effort to schedule the treatment or supervision to minimize disruptions to the District.
5. An employee's advance notice and medical certification and Employee Request for Family Care and Medical Leave may be required to be given to the employee's supervisor (or other designated individual). The supervisor (or other designated individual) may then determine the adequacy of the notice and medical certification.
6. Failure to provide advance notice, satisfactory medical certification and Employee Request for Family Care and Medical Leave when necessary may delay the granting of leave until such requirements are met. **In the event that the delay in giving notice to the District prevents the District from securing an acceptable substitute, the District may require that the leave commence at a later time. This does not apply to unforeseeable emergencies.**

D. Continuation of Health Coverage and Other Job Benefit Plans.

1. An employee taking leave will continue to participate in any group health care benefits plan under the same terms and conditions, including any necessary co-payments, by which the employee was enrolled prior to the first day of the leave.
2. If the employee fails to return from the leave for any reason other than the recurrence, continuance, or onset of a serious health condition, the employee will be liable to the District for premiums paid for maintaining the employee's health coverage.
3. An employee may, at his or her expense, continue to participate in all other employee benefit plans offered by the employer during the leave period.

E. Intermittent or Reduced Schedule Leave. An employee may take leave intermittently (e.g., in blocks of time), or by reducing a normal work schedule, in the following circumstances:

1. Where the leave is for the birth or placement of a child, leave may be taken on an intermittent or reduced schedule basis if the District approves.
2. Leave may be taken intermittently or on a reduced work schedule whenever it is medically necessary to care for a family member with a serious health condition, or because the employee is seriously ill and unable to work the employee's regular work schedule.

F. Substitution of Paid Leave and Other Leave Requests.

1. Employees may use paid sick or vacation leave and family care leave concurrently if the reason for the paid leave meets the requirements of the family care leave (Section B).

2. Any paid or unpaid leave taken which meets the requirements of Section B of this policy will be counted as part of the employee's family care leave entitlement.
- G. Maternity. Women on maternity leave will not start using family care leave until their disability period is over (i.e., when their physician takes them off disability after the birth of their child).
- H. Spouses Who Work for the District. Spouses employed by the District are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child with them. Each spouse is entitled to 12 weeks for leaves taken for the serious health condition of their child.
- I. Period of Eligibility. The 12-month period of entitlement commences on the first day of the leave.
- J. Seniority, Employee Benefits and Break in Service. An employee on leave will not lose any seniority or employment benefit that accrued prior to the start of the leave. An employee on leave will not accrue STRS credit or additional benefits, such as vacation, sick leave or similar benefits, during the leave. The leave will not constitute a break in service for purposes of longevity and seniority. (See Article 3.4 of the DTA Collective Bargaining Agreement for Step Advancement requirements.)
- K. Restoration of Employment and Fitness for Duty Report. Employees returning from an approved leave will be reinstated to the same or equivalent position. Employees returning from an approved medical leave for their own serious health condition may be required to provide a fitness for duty report to return to work.
- L. Key Employee Exception to Restoration. An employee who is a "key" employee due to the fact that he or she is a salaried employee and among the highest paid 10 percent of all employees employed by the District may be denied restoration to his or her position following the leave if the District determines that substantial and grievous economic injury will result if such key employee is reinstated.

Legal References:

- * Family and Medical Leave Act of 1993 (29 U.S.C. - 2601 et seq.)
- * Federal Regulations on FMLA (29 C.F.R. - 825)
- * California Family Rights Act (Gov. Code - 12945.2)
- * California Family Care Leave Requirements (2 Cal. Code Regs. - 7297 et seq.)

LEAVES FOR INDUSTRIAL ACCIDENT OR ILLNESS

Leaves under this regulation shall be available to Management, Confidential and Classified employees not covered by Collective Bargaining Agreements, beginning with the second contract year.

- (a) Allowable leave with pay shall not exceed sixty (60) working days in any one fiscal year for the same accident or illness.
- (b) Allowable leave shall not be accumulated from year to year.
- (c) Industrial Accident or Illness Leave will commence on the first day of absence.
- (d) Payment for wages lost on any day shall not, when added to awards granted the employee under the Worker's Compensation laws of this State and/or compensation from District-paid Income Protection Plans, exceed the normal wage for the day.
- (e) Industrial Accident Leave will be reduced by one day for each day of authorized absence regardless of compensation award made under Worker's Compensation.
- (f) When an Industrial Accident or Illness occurs at a time when the full sixth (70) days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.

Industrial Accident or Illness Leaves will be based upon the findings of the Employers Self-Insurance Service that the disability has been due to Industrial Accident or Illness. In cases where the Employers Self-Insurance Service officials do classify a claim as a disability case, regular Sick Leave will not be deducted for absence due to the Industrial Accident or Illness, until Industrial Accident or Illness Leave, if granted, has been exhausted.

Ed. Code: 44984, 45192

Board Adopted 7/8/64

Amended and Renumbered from 4154.1 - 8/5/71

Amended 9/14/77

Amended 2/6/80

Reviewed 6/22/83

EXTENDED DISABILITY LEAVE

Provision is to be made when a management, confidential, or classified employee, not covered by a collective bargaining contract, is absent for illness after sick leave is exhausted. If this illness is for a period of 5 months or less, then the employee shall receive the difference between his/her pay and the substitute rate for the employee's position.

Continuation of this leave beyond one month requires certification by the employee's physician, on a form provided by the District, that the employee is physically or mentally disabled and unable to perform his/her job.

Ed. Code 44977, 45196

Adopted 1/9/80
Amended 5/11/83

MILITARY LEAVE

Management, confidential and other employees of the classified service not covered by a collective bargaining agreement shall be entitled to any military leave as provided by law. Employees shall retain all rights and privileges granted by law arising out of the exercise of military leave.

Ed. Code: 45059

Adopted 12/12/79
Amended 5/25/83

PERSONNEL SELECTION - CLASSIFIED

Other than the exceptions noted below, classified employees of the Dixie School District shall be appointed only upon recommendation of the Superintendent and approval by the Board. Exceptions to this will be for substitute and extra hire employees required in emergency and non-recurring conditions. These employees shall be employed upon the authorization of the Superintendent.

It shall be the responsibility of the Superintendent of Schools to see that persons nominated for employment shall meet all qualifications established by law and by the Board for the type of position for which nomination is made.

Extra hire shall be employed upon the authorization of the Superintendent or Business Manager, who shall use the best means available to them at the time such employees are required.

Ed. Code: 44000-44069, 45100-45138

Adopted 2/8/61
Amended 5/26/70
Amended 9/11/74
Amended 1/24/79
Amended 6/8/83

EQUAL OPPORTUNITY EMPLOYMENT AND AFFIRMATIVE ACTION

The Board of Trustees of the Dixie School District hereby declares that Dixie District is an equal opportunity employer. It will be the policy of the district to provide equal opportunity employment for all persons and to prohibit discrimination based upon race, sex, color, religion, age, physical handicap, ancestry or national origin in every aspect of personnel policy and practice in employment, development, advancement, and treatment of employees; and to promote the total realization of equal employment opportunity through a continuing affirmative action program.

To implement an affirmative action program in the Dixie School District, the Superintendent is directed to determine statistically the racial, ethnic and sex composition of the current employee force in Dixie. This data shall then be used to determine the areas of underutilization of personnel by race, ethnic balance or sex. As openings occur, recruitment and application procedures will be used which encourage applications for underutilized personnel by race, sex, or ethnic background.

It is the position of the Board of Trustees that affirmative action programs are involved primarily in the recruitment/application steps of employment, and that the final employee selection will be determined on the basis of the best qualified person for the position, regardless of race, ethnic origin, or sex.

The Superintendent or his designee is hereby designated the Affirmative Action Officer responsible for implementation of this policy in keeping with applicable state and federal law and regulations.

Legal Reference: Title V Div. 1, Ch. 4 Sec. 30-31 (5/20/78)

Adopted 12/3/75

Reviewed 3/14/79

NONDISCRIMINATION ON THE BASIS OF SEX IN DISTRICT EMPLOYMENT ACTIVITIES

- 86.42 et seq. District Employment Activities. Applies to all aspects of the district's employment programs, including but not limited to, recruitment, advertising, process of application for employment, promotion, granting of tenure, termination, layoffs, wages, job assignments, leaves of absence of all types, fringe benefits, training programs, employer-sponsored programs, including social or recreational programs and any other term, condition or privilege of employment. Specifically the following personnel employment practices are prohibited:
- 86.52 a. Tests. Administration of any test or other criterion which has a disproportionately adverse effect on persons on the basis of sex unless it is a valid predictor of job success and alternative tests or criterion are unavailable;
- 86.53 b. Recruitment. Recruitment of employees from entities which furnish as applicants only or predominately members of one sex, if such action has the effect of discriminating on the basis of sex;
- 86.54 c. Compensation. Establishment of rates of pay on the basis of sex;
- 86.55 d. Job Classification. Classification of jobs as being for males or females;
- 86.56 e. Fringe Benefits. Provision of fringe benefits on basis of sex; all fringe benefit plans must treat males and females equally;
- 86.57-60 f. Marital and Parental Status. Any action based on marital or parental status; pregnancies are considered temporary disabilities for all job-related purposes and shall be accorded the same treatment by the district as are all other temporary disabilities. No inquiry shall be made by the district in job applications as to the marriage status of an applicant, including whether such applicant is "Miss or Mrs." But, inquiry may be made as to the sex of a job applicant for employment if made of all applicants and is not a basis for discrimination.
- 86.60-61 g. Employment Advertising. Any expression of preference, limitation, or specification based on sex, unless sex is a bona fide occupational qualification for the particular job in question.
- 86.3 Policy Enforcement. To ensure compliance with this policy, the superintendent shall:
- 86.4; 1. be designated as Title IX Compliance Officer for the District:
- 86.8
- 86.23; a. to coordinate efforts of the district to comply with this policy;
- 86.36 b. to develop and ensure the maintenance of a filing system to keep all records required under this policy;
- c. to investigate any complaints of violations of this policy;
- d. to administer the grievance procedure established in this policy; and
- e. to develop affirmative action programs, as appropriate; and

NONDISCRIMINATION (continued)

2. provide for the publication of this policy on an ongoing basis to students, parents, employees, and district employee unions or organizations, such publication to include the name, office address and telephone number of the compliance administrator designated pursuant to this policy in paragraph 1., above.

Grievance Procedure. Any student or employee of this district who believes he or she has been discriminated against, denied a benefit, or excluded from participation, in any district education program or activity, on the basis of sex in violation of this policy, may file a written complaint with the compliance administrator designated in paragraph 1. of this policy above. The compliance administrator shall cause a review of the written complaint to be conducted and a written response mailed to the complainant within ten working days after the receipt of the written complaint. A copy of the written complaint and the compliance administrator's response shall be provided each member of the Board of Education. If the complainant is not satisfied with such response, he or she may submit a written appeal to the Board of Education indicating with particularity the nature of disagreement with the response and his or her reasons underlying such disagreement.

The Board of Education shall consider the appeal at its next regularly scheduled Board meeting following receipt of the response.

The Board of Education shall permit the complainant to address the Board in public or closed session, as appropriate and lawful, concerning his or her complaint and shall provide the complainant with its written decision in the matter as expeditiously as possible following completion of the hearing.

- 86.31 Evaluation. The Superintendent shall present a report to the Board of Education in a public meeting on or about July 21, 1976, and in a public meeting to be held on or about the anniversary of that date each year thereafter, describing this district's compliance with this policy during the previous year, which report can be the basis of an evaluation of the effectiveness of this policy by the Board of Education and a determination as to whether or not additional affirmative action is necessary in light of all the facts.

- 86.14 Exemptions. This policy does NOT apply to the following organizations:
1. YMCA, YWCA, Girl Scouts, Boy Scouts, and Camp Fire Girls;
 2. Voluntary youth service organizations which are exempt from taxation under Sec. 501(a) of the U.S. Internal Revenue Code of 1954 and the membership of which has been traditionally limited to members of one sex and principally to persons of less than nineteen years of age.

See also Policy 6152, Nondiscrimination on the Basis of Sex in Education Programs and Activities

Legal Reference:

As shown in parentheses to the specific relevant sections of the U.S. Department of Health, Education, and Welfare's regulations implementing TITLE IX in Part 86, Title 45, U.S. Code.

Board Adopted 8/4/76

EMPLOYMENT OF MEMBERS OF THE SAME FAMILY

The following policy shall govern conflict of interest in the employment of all personnel:

1. Persons related by blood or marriage to a governing board member may only be employed following full disclosure of the relationship by the governing board member in a public meeting and sufficient vote of appointment without counting the vote of the related governing board member.
2. Persons related by blood or marriage to a management employee shall not be appointed to a position that is in a line relationship involving supervision and evaluation of the position.
3. Members of the same family may be employed in the same department or work location when approved in writing by the superintendent or the superintendent's designated representative. (Exception: members of the same family shall not be approved in direct line of supervision.)
4. No person related by blood or marriage to any employee or governing board member shall be given any special consideration.

It is the intent of these rules to avoid any situation when there can arise a conflict of interest either on the part of a member of the governing board or a member of management.

The term "related by blood or marriage" refers to brother, brother-in-law, daughter, stepdaughter, foster daughter, daughter-in-law, father, stepfather, foster father, father-in-law, granddaughter, grandfather, grandmother, grandson, husband, mother, stepmother, foster mother, mother-in-law, sister, sister-in-law, son, stepson, foster son, son-in-law, wife, or any relative living in the immediate household of the governing board member or management employee.

Legal References: Education Code 35233, 35234, 35235, 35236

Adopted 8/25/82

APPOINTMENT & CONDITIONS OF EMPLOYMENT

Classified Personnel

The Superintendent or designee will recommend the appointment of all regular full-time, part-time and hourly employees to the Board of Trustees.

Substitute, short-term and student employees may be appointed by the Superintendent or designee. The position and the pay rate shall be reported at a regular meeting of the Board.

Appointment Standards

Applicants for appointment to the classified staff shall fulfill the requirements and meet the standards defined in the job description approved by the Board. In addition, they shall:

1. Not have been convicted of a violent or serious felony (Education Code 45122.1)
(cf.4212.5 - Security/Credit Check)
2. Submit to fingerprinting before employment pursuant to Education Code 45125. Any fee for this shall be paid by the District.
3. Submit to a physical examination or proof thereof as required by law (Education Code 45122, 49406) and District policy.
(cf.4112.4/4212.4/4312.4 - Health Examinations)
4. File a loyalty oath pursuant to Government Code 3100 et seq.

No person shall be assigned as an instructional aide without having demonstrated proficiency in basic reading, writing and mathematics skills as required by law. (Education Code 45344.5)

Legal Reference

EDUCATION CODE

44066 Limitation on certification requirements

45103 Classified service in districts not incorporating the merit system

45104 Positions not requiring certification qualifications

45105 Positions under various acts not requiring certification qualifications; classification

45113 Rules and regulations for classified service in districts not incorporating the merit system

45122 Physical examinations

45125 Use of personal identification cards to ascertain conviction of crime

45169 Employee salary dates

45344.5 Demonstrated proficiency in basic reading, writing and mathematics skills

49406 Examination for tuberculosis

GOVERNMENT CODE

3100 et seq. Oaths or affirmation of allegiance for disaster service workers and public employees

12940 et seq. Unlawful employment practices

First Reading: June 10, 2003

Adopted: June 24, 2003

HEALTH EXAMINATIONS

New Employees

The Superintendent or designee shall ensure that new District employees comply with all health examination requirements of California law.

In addition, the Superintendent or designee may require applicants for employment in classified positions to undergo a preemployment physical examination to show that they are physically able to perform the duties of specific jobs. (Education Code 45122)

Continuing Employees

Continuing employees, as well as volunteers, shall undergo periodic tuberculosis tests in accordance with law. (Education Code 49406)

The Board of Trustees may require continuing employees to undergo tuberculosis tests when warranted upon recommendation of the local health officer.

Employees may be required to pass a physical and/or psychological examination any time such an examination appears necessary to preserve the health and welfare of District students and employees or to furnish medical proof of physical or mental ability to perform satisfactorily the assigned duties of an individual's position. (Education Code 44839, 45122)

(cf. 4419.41 - Employees with Infectious Disease)

This policy shall complement existing collective bargaining agreements. Employee confidentially shall be maintained.

(cf. - Negotiated Agreements)

Legal Reference:

EDUCATION CODE

44839 Medical certificate; periodic medical examination

44839.5 Requirements for employment of retirant

44932 Grounds for dismissal of permanent employee

44942 Suspension or transfer of certificated employee on ground of mental illness, psychiatric examination; mandatory sick leave

45122 Physical examinations

49406 Examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5502-5503 Physical examination for retirants employed as substitute teacher, etc.

5504 Medical certification procedures

First Reading: June 10, 2003

Adopted: June 24, 2003

PERSONNEL RECORDS

Confidential records shall be maintained for each employee. The employee may have access to this file except that he may not review confidential letters of recommendation and the evaluations made by the Dixie Staff for employment.

Records maintained in the Personnel Office shall include:

1. Completed application for employment in Dixie School District.
2. Current evidence, not more than four years old, that the employee is free from active tuberculosis.
3. The Loyalty Oath
4. Performance Appraisals.

Payroll records shall be maintained for each employee. These records shall be open to the employee and shall contain the following items:

1. Copy of Notice of Employment Conditions.
2. Form W-4, Withholding Tax.
3. Records of all absences and leaves.
4. All authorizations for payroll deductions.
5. Marin County Schools System Record Card.

Adopted 8/23/67

Revised 2/24/82

CRIMINAL RECORD SECURITY PROCEDURES FOR THE DIXIE SCHOOL DISTRICT

It shall be the policy of the Board of Trustees that the security and privacy of criminal record information pertaining to employees and applicants for district positions will be maintained.

The Superintendent will have the responsibility for the development of appropriate regulations to assure the security of such records.

Legal Reference: Gov. Code, Title 2, Div. 3, Part 1, Chapter 4.5
Penal Code Section 11077
Penal Code Section 11075 through 11081
Administrative Code, Title 11, Chapter 1

Adopted 11/17/81

NON-TEACHING FUNCTIONS

In order to bring the full energies of the teacher to focus on the educational program, it is the intention of the Board to reduce those assignments of the staff which draw heavily on the energies of teacher, but which give little, if any, benefit to the educational program.

In order to do this, the Board will, where financially possible, provide classified employee assistance on the playground, lunch room and in the library.

The Board welcomes and encourages the use of volunteers in these various non teaching functions as a means of conserving financial and instructional resources.

CLASSIFIED PERSONNEL LAYOFF AND REEMPLOYMENT

From time to time, as the need dictates, it may be necessary for the Board of Trustees to lay off classified employees because of lack of work or lack of funds.

Whenever a classified employee is laid off, the order of layoff within the class shall be determined by length of service. The employee who has been employed the shortest time in the class shall be laid off first. Re-employment shall be in reverse order of layoff.

Persons laid off because of lack of work or lack of funds are eligible for re-employment for a period of 39 months and shall be re-employed in preference to new applicants. In addition, such persons laid off have the right to make application and establish their qualification for vacant promotional positions within the district during the period of 39 months.

It is the policy of the Board that the Superintendent will develop regulations to implement this policy in accordance with State law.

Ed. Code: 45101, 45103, 45105, 45113, 45114, 45115, 45117
45286, 45289, 45308, 45309

Adopted 7/25/73
Revised 11/28/79
Revised 3/24/82

DISMISSAL OF CLASSIFIED PERSONNEL

The District Superintendent, or the Business Manager, acting on behalf of the Superintendent, may dismiss, suspend, or demote any employee in the classified service for cause. The action will be taken only after the Superintendent has been apprised of the proposed action and the reasons for it. Prior to beginning any such dismissal proceedings, the Superintendent will ascertain that the employee has been given adequate supervision, suggestions for improvement in the job, and/or other assistance has been given to help the employee become proficient in his/her position.

Permanent classified employees will have the right of appeal to the Governing Board.

Causes for dismissal and specific dismissal procedures will be set forth in a Board-adopted regulation on this topic.

Ed. Code: 45103, 45113, 45116, 45301

Adopted 6/22/60
Amended 7/25/73
Amended 11/28/79
Amended 2/10/82

PAYROLL DEDUCTIONS

Payroll deductions, authorized by law and approved by the County Superintendent of Schools and County Board of Supervisors, may be authorized by the Board of Trustees of the Dixie School District. Authorization will only be granted within the limits of categories feasible under current electronic data processing procedures.

Authorizations may be granted until revoked, or for limited periods of time.

Ed. Code: 44041, 44042, 45060, 45168

Adopted 11/11/64

Reviewed 10/24/79

Ed. Code amended 6/9/82

DIXIE SCHOOL DISTRICT
HEALTH AND WELFARE BENEFITS

Policy 4144/4244

It is the intent of the Board of Trustees to allocate funds each year for the purpose of assisting employees not covered by Collective Bargaining Agreements with obtaining health and welfare benefits.

The amount of health and welfare benefits will be reviewed annually.

Provisions for expansion of these insurance fringe benefits (for example, to cover dependents) by the employee through his own additional payment, through payroll deduction, may also be provided.

Management and Confidential employees who retire from District service shall be entitled to District paid medical benefits as stipulated in the appropriate Certificated and Classified Collective Bargaining Agreements.

For the purpose of this policy, the following positions are designated as management and confidential:

MANAGEMENT	Appropriate Bargaining Agreement	CONFIDENTIAL	Appropriate Bargaining Agreement
Superintendent	(Certificated)	Superintendent's Secty.	(Classified)
Principals	(Certificated)	Personnel Assistant	(Classified)
Curriculum Coordinator	(Certificated)	Business Manager's	(Classified)
Business Manager	(Certificated)	Secretary	
Director of Buildings/ Grounds/Transportation	(Certificated)	Staff Secretary II (Supt.'s Office)	(Classified)
Coordinator of Music	(Certificated)		
Assistants for Guidance	(Certificated)		

Management and Confidential employees who retire from District service, not eligible to receive District Paid medical benefits, shall be allowed to participate in District Group Health Plans, up to age 65, by the retiree contributing the full premium, in advance, to the District for remittance to the insurance carrier.

Procedures to implement this policy are the same as used for employees covered by Collective Bargaining Agreements.

Ed. Code 44041

Adopted 9/55
Amended 3/8/67
Amended 7/28/70
Amended 6/10/74
Revised 1/23/80
Amended 9/22/82
Revised 12/8/82

ACCIDENTS - WHILE ON THE JOB

Workers' Compensation Insurance shall be provided employees of the District under a county contract or policy carried by the County Superintendent of Schools.

Regulations and procedures requiring all employee accidents to be properly reported and documented shall be prepared by the Superintendent.

Ed. Code: 1252

Adopted 8/23/67
Amended 11/28/79
Reviewed 1/26/83

JURY DUTY/SUBPOENAED WITNESS LEAVE

Management, confidential and classified employees not covered by collective bargaining contracts shall be granted leave for jury duty or service as a subpoenaed witness under the following conditions:

1. Jury Duty: A leave with pay shall be granted to employees called for jury duty in the manner provided for by law. An employee who receives a jury summons shall submit a copy of the summons to his/her supervisor. At the conclusion of jury duty, the employee shall submit a statement from the Jury Commissioner's Office specifying the dates and times served by the employee. This shall be attached to the Employee Absence Report. Payment shall be made to the District in the amount of the statutory fees which the employee has received for attendance as a juror, excluding the statutory mileage fee.
2. Witness: An employee may be granted a leave with pay when subpoenaed to appear as a witness, other than as a litigant, in a court of law or another governmental tribunal for reasons not brought about through the connivance or misconduct of the employee. An employee requesting such leave shall submit a copy of the subpoena. At the conclusion of his/her appearance, the employee granted leave shall submit a verified statement, specifying the dates and times the employee appeared. This shall be attached to the Employee Absence Report. Payment shall be made by the employee to the District in the amount of the statutory fees which the employee has received for appearing as a witness, excluding the statutory mileage fee.

Ed. Code: 44036, 44037

Adopted 11/14/62

Revised 12/12/79

Amended 8/11/82

MATERNITY AND MATERNITY DISABILITY

Management, confidential and classified employees not covered by a collective bargaining contract shall be eligible for maternity and maternity disability leave under the provisions of the Education Code.

Legal References: Ed. Code 44965, 44978, 45193

Adopted 5/56
Amended 8/24/60
Amended 8/25/65
Amended 3/24/71
Amended 5/24/73
Amended 9/26/73
Revised 1/9/80
Reviewed 3/9/83

UNCOMPENSATED LEAVE

At the discretion of the Governing Board, permanent Management, Confidential and Classified employees with not less than three years' service in the District and not covered by the collective bargaining agreements, may be granted a leave of absence for a period not in excess of two years. There shall be no compensation for such leave and no salary increment shall accrue during it.

The employee shall submit a written request to the Governing Board, delivered to the Personnel Office, no later than February 15th prior to the year in which the leave is requested. The request shall state the reasons for and the duration of the leave desired.

On or before February 1st of the year in which the employee's uncompensated leave expires, the District will provide the employee with a form for indicating his/her intention to return or not return the following school year. The employee must complete and return the form to the Personnel Office by February 15th. Unless the District agrees otherwise, failure to comply with this requirement will constitute a resignation to become effective at the close of the school year in which the employee is on leave. The District at any time during the leave may request a statement of the employee's intention to return to duty at the expiration of the leave. The above wording of this paragraph will be included on the form.

Ed. Code: 44966, 44967, 44968.5, 44973

Adopted 12/12/79

Revised 5/26/82

SICK LEAVE

Management, confidential and classified employees not covered by collective bargaining contracts are entitled to ten (10) days annual sick leave, if a full time ten-month employee, and twelve (12) days annual sick leave, if a full time twelve month employee.

Leave of absence shall be granted for personal illness, accident, or physical disablement.

No payment for sick leave shall be made until submission by the employee of the form specified by the District and signed by the employee and immediate supervisor.

A physician's written verification of the reason for absence due to illness or accident may be required by the District prior to payment.

Ed. Code 44978/45191

Adopted 2/9/66
Amended 9/26/73
Amended 4/28/76
Revised 1/9/80
Amended 1/12/83

PERSONAL NECESSITY LEAVE

Management, confidential and classified employees not covered by collective bargaining contracts may use at his/her election, during any school year, not more than six (6) days of accumulated sick leave in the case of personal necessity. The employee shall not be required to secure advance permission for leave taken for either of the following two reasons:

1. Death or serious illness of a member of his/her immediate family. Immediate family means mother, father, grandmother, grandfather, or the grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the employee or any relative living in the immediate household of the employee.
2. Accident involving his/her person or property, or the person or property of a member of his/her immediate family.

The Superintendent, at his discretion, may require proof of all personal necessity leave.

The employee shall submit a written request to the Superintendent to secure advance permission for personal necessity leave other than for the type enumerated above.

Ed. Code:44978.5, 44981, 45207

Adopted 12/8/65
Amended 2/10/70
Revised 1/9/80
Reviewed 11/10/82
Reviewed 10/19/93

BEREAVEMENT LEAVE

Management, Confidential and other employees of the classified service not covered in a collective bargaining contract are entitled to a leave of absence, with full pay, not to exceed three (3) days, or five (5) days if out of state travel is required, on account of the death of any member of the employee's immediate family. Members of the immediate family mean the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother or sister of the employee, or any relative living in the immediate household of the employee.

Ed. Code: 44985, 45194

Adopted 12/12/79
Amended 2/9/83

FAMILY CARE AND MEDICAL LEAVE POLICY

Under the federal Family and Medical Leave Act of 1993 and the California Family Rights Act (collectively, "the Acts"), eligible employees are entitled to up to 12 work-weeks of unpaid, job-protected leave within a 12 month period for family and medical reasons. The Dixie School District ("District") intends to comply with the Acts and their pertinent regulations, and the interpretation of this policy is governed by the Acts.

The following conditions, requirements, and procedures shall apply when requests for family care of medical leave are made:

- A. Employee Eligibility. To be eligible for benefits under the Acts, an employee must:
1. Have worked for the District for at least 12 months;
 2. Have worked at least 1,250 hours over the previous 12 months for the District or are classified as full time employees of the District; and
 3. Be one of at least 50 employees employed by the District within 75 miles of the employee's work site.
- B. Reasons for Taking Leave. A leave request from an eligible employee must be granted for any of the following reasons:
1. Birth of the employee's child;
 2. Placement of a child with the employee for adoption or foster care;
 3. Care for the employee's child, spouse, parent, or domestic partner;
 4. The employee's own serious health condition that keeps the employee from performing his or her job functions.
- C. Advance Notice of Leave and Medical Certification. Employees will provide (1) advance written notice of the leave request, (2) medical certification whenever a serious health condition is involved and (3) a completed District Employee Request for Family Care and Medical Leave.
1. If the need for the leave is foreseeable, employees will provide 30 days advance written notice. The advance notice should include the Employee Request for Family Care and Medical Leave form. If the need for the leave is unforeseen (i.e., an emergency), notice is required to be given as soon as practicable.
 2. If the leave is to care for a family member with a serious health condition, or because of the employee's own serious health condition, the employee will provide medical certification from a health care provider or physician. The medical certification must include:
 - a. Date of commencement of the serious health condition;
 - b. Probable duration of the condition;
 - c. Estimated amount of time the health care provider will provide care;
 - d. Confirmation that the serious condition of the child, spouse or parent warrants the participation of the employee; or, in the case of the employee's own serious health condition, certification that the employee is unable to perform his or her job functions.

3. The District may require a second and third medical opinion regarding an employee's serious health condition, at the District's expense. When the duration of the leave is uncertain or the estimated time for the leave expires and the employee remains out of work, the District may require subsequent recertification.
4. If the leave is needed for planned medical treatment or supervision, the employee must make a reasonable effort to schedule the treatment or supervision to minimize disruptions to the District.
5. An employee's advance notice and medical certification and Employee Request for Family Care and Medical Leave may be required to be given to the employee's supervisor (or other designated individual). The supervisor (or other designated individual) may then determine the adequacy of the notice and medical certification.
6. Failure to provide advance notice, satisfactory medical certification and Employee Request for Family Care and Medical Leave when necessary may delay the granting of leave until such requirements are met. **In the event that the delay in giving notice to the District prevents the District from securing an acceptable substitute, the District may require that the leave commence at a later time. This does not apply to unforeseeable emergencies.**

D. Continuation of Health Coverage and Other Job Benefit Plans.

1. An employee taking leave will continue to participate in any group health care benefits plan under the same terms and conditions, including any necessary co-payments, by which the employee was enrolled prior to the first day of the leave.
2. If the employee fails to return from the leave for any reason other than the recurrence, continuance, or onset of a serious health condition, the employee will be liable to the District for premiums paid for maintaining the employee's health coverage.
3. An employee may, at his or her expense, continue to participate in all other employee benefit plans offered by the employer during the leave period.

E. Intermittent or Reduced Schedule Leave. An employee may take leave intermittently (e.g., in blocks of time), or by reducing a normal work schedule, in the following circumstances:

1. Where the leave is for the birth or placement of a child, leave may be taken on an intermittent or reduced schedule basis if the District approves.
2. Leave may be taken intermittently or on a reduced work schedule whenever it is medically necessary to care for a family member with a serious health condition, or because the employee is seriously ill and unable to work the employee's regular work schedule.

F. Substitution of Paid Leave and Other Leave Requests.

1. Employees may use paid sick or vacation leave and family care leave concurrently if the reason for the paid leave meets the requirements of the family care leave (Section B).

2. Any paid or unpaid leave taken which meets the requirements of Section B of this policy will be counted as part of the employee's family care leave entitlement.
- G. Maternity. Women on maternity leave will not start using family care leave until their disability period is over (i.e., when their physician takes them off disability after the birth of their child).
- H. Spouses Who Work for the District. Spouses employed by the District are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child with them. Each spouse is entitled to 12 weeks for leaves taken for the serious health condition of their child.
- I. Period of Eligibility. The 12-month period of entitlement commences on the first day of the leave.
- J. Seniority, Employee Benefits and Break in Service. An employee on leave will not lose any seniority or employment benefit that accrued prior to the start of the leave. An employee on leave will not accrue STRS credit or additional benefits, such as vacation, sick leave or similar benefits, during the leave. The leave will not constitute a break in service for purposes of longevity and seniority. (See Article 3.4 of the DTA Collective Bargaining Agreement for Step Advancement requirements.)
- K. Restoration of Employment and Fitness for Duty Report. Employees returning from an approved leave will be reinstated to the same or equivalent position. Employees returning from an approved medical leave for their own serious health condition may be required to provide a fitness for duty report to return to work.
- L. Key Employee Exception to Restoration. An employee who is a "key" employee due to the fact that he or she is a salaried employee and among the highest paid 10 percent of all employees employed by the District may be denied restoration to his or her position following the leave if the District determines that substantial and grievous economic injury will result if such key employee is reinstated.

Legal References:

- * Family and Medical Leave Act of 1993 (29 U.S.C. - 2601 et seq.)
- * Federal Regulations on FMLA (29 C.F.R. - 825)
- * California Family Rights Act (Gov. Code - 12945.2)
- * California Family Care Leave Requirements (2 Cal. Code Regs. - 7297 et seq.)

LEAVES FOR INDUSTRIAL ACCIDENT OR ILLNESS

Leaves under this regulation shall be available to Management, Confidential and Classified employees not covered by Collective Bargaining Agreements, beginning with the second contract year.

- (a) Allowable leave with pay shall not exceed sixty (60) working days in any one fiscal year for the same accident or illness.
- (b) Allowable leave shall not be accumulated from year to year.
- (c) Industrial Accident or Illness Leave will commence on the first day of absence.
- (d) Payment for wages lost on any day shall not, when added to awards granted the employee under the Worker's Compensation laws of this State and/or compensation from District-paid Income Protection Plans, exceed the normal wage for the day.
- (e) Industrial Accident Leave will be reduced by one day for each day of authorized absence regardless of compensation award made under Worker's Compensation.
- (f) When an Industrial Accident or Illness occurs at a time when the full sixth (70) days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.

Industrial Accident or Illness Leaves will be based upon the findings of the Employers Self-Insurance Service that the disability has been due to Industrial Accident or Illness. In cases where the Employers Self-Insurance Service officials do classify a claim as a disability case, regular Sick Leave will not be deducted for absence due to the Industrial Accident or Illness, until Industrial Accident or Illness Leave, if granted, has been exhausted.

Ed. Code: 44984, 45192

Board Adopted 7/8/64

Amended and Renumbered from 4154.1 - 8/5/71

Amended 9/14/77

Amended 2/6/80

Reviewed 6/22/83

EXTENDED DISABILITY LEAVE

Provision is to be made when a management, confidential, or classified employee, not covered by a collective bargaining contract, is absent for illness after sick leave is exhausted. If this illness is for a period of 5 months or less, then the employee shall receive the difference between his/her pay and the substitute rate for the employee's position.

Continuation of this leave beyond one month requires certification by the employee's physician, on a form provided by the District, that the employee is physically or mentally disabled and unable to perform his/her job.

Ed. Code 44977, 45196

Adopted 1/9/80
Amended 5/11/83

MILITARY LEAVE

Management, confidential and other employees of the classified service not covered by a collective bargaining agreement shall be entitled to any military leave as provided by law. Employees shall retain all rights and privileges granted by law arising out of the exercise of military leave.

Ed. Code: 45059

Adopted 12/12/79
Amended 5/25/83

VOLUNTEERS

The Board recognizes that in our modern society there is a wide variety of expectancies with which the schools, and more particularly the classroom teachers, must deal. The Board further recognizes that any increase in individual attention to the needs of children requires a corresponding increase in adult attention to those needs.

The Board encourages the involvement of volunteer services to the local schools as a means to aid the school and the teachers to more effectively meet the goals of the district and the needs of children, and to enhance communication and public participation in the educational process.

To this end, the Board adopts the following parameters to guide the Administration:

1. The Dixie School District Board authorizes that volunteers may be approved to perform service in programs operated by the District, when initiated or approved by the District Administration.
2. The Administration shall integrate the volunteer policy with the Workers' Compensation Self-Insurance program in such a way as to define which volunteers are covered by Workers' Compensation Insurance, and to meet other requirements of the Workers' Compensation Self-Insurance Program, which is coordinated by the Marin County Superintendent of Schools Office. Guidelines for operating the Self-Insurance Program for Employees* (SIPE) which are, or may be, formulated, shall regulate this integration.
3. The compelling criteria for inclusion of volunteers within the definition of coverage under Workers' Compensation Insurance shall be:

Does the person perform an identifiable service (other than study of an issue and giving advice) to the District, which was requested in advance by the District Board or Administration, or which was approved by the Board or Administration prior to the time the service was rendered?

4. Administrative Regulations to implement the Volunteer Policy shall be prepared by the District Superintendent.

*S.I.P.E. Self-Insurance Program for Employees (Workers' Compensation)

Adopted 2/8/78

Reviewed 2/6/80

Reviewed 8/10/83

SEXUAL AND GENDER-BASED HARASSMENT (PERSONNEL)

Purpose

Sexual or gender-based harassment, which includes gender-based harassment, is unlawful and will not be tolerated. It is the policy of the Governing Board of the Dixie School District to provide an employment environment free of unlawful sexual or gender-based harassment.

It is a violation of this policy for an employee, agent, or student or any party with which the Dixie School District has a cooperative agreement to engage in sexual or gender-based harassment.

This policy is intended to supplement, not replace, any applicable state or federal laws and regulations, and to secure, at the earliest level possible, an appropriate resolution to complaints of unlawful sexual or gender-based harassment.

Definition of Sexual and Gender-Based Harassment

For the purposes of this policy, sexual or gender-based harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, and acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex although not necessarily sexual in nature, made by someone from or in the work or educational setting under any of the conditions listed below:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

For the purpose of this policy gender-based harassment including harassment based on harassment of a person based on his/her sex including gender identity, gender expression or nonconformity with gender stereotypes.

Sexual or gender-based harassment may occur as a pattern of degrading sexual and gender-based speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and threats or sexual demands.

Examples of conduct which may constitute a violation of this policy include, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gesture, display of sexually suggestive objects or pictures, or cartoons, whether conducted in person or through an electronic means.
- (2) Continuing to express sexual interest after being informed that the interest is unwelcome.
- (3) Within the employment environment, implying or actually withholding satisfactory evaluations or suggesting that promotion or favorable evaluations will be denied as a condition of receiving sexual favors.
- (4) Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.
- (5) Slurs, threats, derogatory comments, unwelcome jokes, or degrading descriptions related to or because of actual or perceived gender, gender identity, gender expression, or sexual orientation.
- (6) Harassment because of actual or perceived non-traditional choice of extracurricular activities, apparel, personal grooming, or mannerisms.

Remedial, Corrective, Disciplinary Actions

When unlawful sexual or gender-based harassment is found to have occurred, the District will take appropriate remedial, corrective and/or disciplinary action(s), which may include counseling for the complainant, other persons impacted by the harassment, and the respondent; limiting respondent's contact with the complainant; school-wide actions, such as education and training, to stop the harassing conduct and prevent a recurrence; and suspension, expulsion or dismissal in accordance with applicable policies, laws and/or collective bargaining agreements.

Administrative Regulations

The Superintendent shall adopt and from time-to-time may revise regulations to implement this policy and provide for investigation of complaints and enforcement of this policy. The regulations may be obtained in the District Office, School Office and online at <http://www.dixieschooldistrict.org/>.

Training and Curriculum

To implement this policy the District will provide appropriate training for staff and students. "Supervisory" employees, as defined by Government Code section 12950.1, will be trained, as required by law, at least every two (2) years.

Notification

This policy will be published in site handbooks and/or the District Personnel Handbook and posted in a prominent location in the District Office and each School Office and distributed to employees as required by law. See EC 231.5(d)

Special Assistance

Anyone with questions related to this Board Policy may contact the Superintendent, or designee,

Filing Complaints with State or Federal Agencies

Aggrieved parties also may file complaints with appropriate state and federal agencies including:

Equal Employment Opportunity Commission
450 Golden Gate Avenue
5 West, Box 36025
San Francisco, California 94102-3661

California Department of Fair Employment and Housing
455 Golden Gate Avenue, #10600
San Francisco, California 94102

Legal References:

Title VII of the Civil Rights Act
42 USC Section 2000-e-2(a)(1)
Fair Employment and Housing act
Government Code section 12940
Education Code sections 212.5, 231.5
Government Code section 12950.1

Adopted: 2/23/93 Revised: 1/11/94
First Reading: January 20, 2011
Second Reading and Adoption: February 8, 2011
(replaces 4301 adopted 2/23/93)

First Reading: January 15, 2013
Second Reading and Adoption: February 12, 2013
(replaces 4301 adopted 2/8/11)

First Reading: October 13, 2015
Second Reading and Adoption: November 10, 2015
(replaces 4301 adopted 1/15/13)

STUDENT WELLNESS: SCHOOL NUTRITION AND PHYSICAL EDUCATION PROGRAMS**STUDENT WELLNESS**

The Board of Trustees recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

The Superintendent or designee shall encourage the involvement of parents/guardians, students, food service employees, physical education teachers, school health professionals, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy.

The Dixie District School Wellness Council shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the council may also include planning, implementation, and evaluation of activities to promote health within the school or community.

GOALS FOR NUTRITION, PHYSICAL ACTIVITY, AND OTHER WELLNESS ACTIVITIES

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. (42 USC 1758b; 7 CFR 210.30)

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

The nutrition education program shall include, but not be limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning program, and school garden programs.

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

The Board may enter into a joint use agreement or memorandum of understanding (MOU) to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

Professional development shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food service staff, health aides and other staff as appropriate to enhance their health knowledge and skills.

The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school websites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health, academic performance and safety.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, and works to foster inclusion of all students in a safe environment.

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

NUTRITION GUIDELINES FOR FOOD AVAILABLE AT SCHOOL

For all foods available on each campus during the school day, the district shall adopt nutritional guidelines which are consistent with federal regulations which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's reimbursable food service program, should support the health curriculum and promote optimal health. Nutrition standards adopted by

the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutrition standards.

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means.

Nutrition education helps provide all students with the knowledge and skills needed to lead healthy lives. Students may learn to address nutrition-related health concerns through age and grade level-appropriate nutrition education lessons and activities.

PROGRAM IMPLEMENTATION AND EVALUATION

The Superintendent shall designate at least one or more district or school employee(s), as appropriate, to ensure that each school site complies with this policy. (42 USC 1758b)

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every three years. The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy (42 USC 1758b), in addition to reviewing local wellness and nutrition guidelines.

The Board and Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
3. Results of the state's physical fitness test at applicable grade levels
4. Results of the California Healthy Kids Survey

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the school health council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

The Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education every three years.

The Superintendent or designee shall inform and update the public, including parents/guardians, students and others in the community, about the content and implementation of this policy and assessment results. In addition, the assessment results shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments.

RECORDS

Each school may post a summary of nutritional and physical activity laws and regulations prepared by the California Department of Education.

The Superintendent or designee shall retain records that document compliance with 7 CFR 210.30, including, but not limited to, the written student wellness policy.

Legal Reference:

EDUCATION CODE

33350-33354 CDE responsibilities re: physical education

38086 Free fresh drinking water

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act

49540-49546 Child care food program

49547-49548.3 Comprehensive nutrition services

49550-49562 Meals for needy students

49565-49565.8 California Fresh Start pilot program

49570 National School Lunch Act

51210 Course of study, grades 1-6

DIXIE SCHOOL DISTRICT

Policy 5030

51210.1-51210.2 Physical education, grades 1-6
51210.4 Nutrition education
51220 Course of study, grades 7-12
51222 Physical education
51223 Physical education, elementary schools
51795-51798 School instructional gardens
51880-51921 Comprehensive health education

CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j National School Lunch Program, especially:
1758b Local wellness policy
1771-1793 Child Nutrition Act, especially:
1773 School Breakfast Program
1779 Rules and regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.33 National School Lunch Program, especially:
210.30 Wellness policy
220.1-220.22 National School Breakfast Program

First Reading:	April 25, 2006
Second Reading and Adoption:	May 9, 2006
Revision and Adoption:	June 27, 2017

DIXIE SCHOOL DISTRICT
Students

Policy 5111

ADMISSION

AGE OF ADMITTANCE TO GRADES K

A child shall be eligible for enrollment in kindergarten, at the beginning of the school year if the child has his/her fifth birthday, on or before one of the following dates: (Education Code 48000)

September 1 of the 2014-15 school year and each school year thereafter.

Any child who will have his/her fifth birthday between the date listed above for the applicable school year and December 2 shall be offered a transitional kindergarten program in accordance with law and Board policy. (Education Code 48000) (cf. 5123 Promotion/Acceleration/Retention) (cf. 6170.1 - Transitional Kindergarten)

Age of Admittance to Grade 1

A child shall be admitted to the first grade of an elementary school if the child will have his or her sixth birthday on or before one of the following dates: (Education Code 48010)

September 1 of the 2014-15 school year and each school year thereafter

Documentation of Age/Grade

Prior to the admission of a child to kindergarten or first grade, the parent/guardian shall present proof of the child's age. (Education Code 48002) Students AR 5111

Admission

Evidence of the child's age may include: (Education Code 48002)

1. A certified copy of a birth certificate (original)
2. Passport (original)

A student enrolling in a district school in grades 2-8 shall sign a release authorizing records from his/her previous school district be sent to the school. School records must document his/her age and current grade level.

(cf. 5125 - Student Records)
(cf. 6146.3 - Reciprocity of Academic Credit)

Adopted: 9/23/59/Amended: 1/24/79/2/9/83
Revision Adopted: 2/10/15

Absences and Excuses

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct problems of chronic absence or truancy.

Regular school attendance is to be encouraged by all principals. Each school principal shall make a reasonable effort to determine the cause for each absence within one hour of the opening of the school day.

Absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and administrative regulations. (Education Code 48205)

Excused Absences

A student's absence shall be excused for the following reasons:

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)
(cf. 5112.2 - Exclusions from Attendance)
3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state (Education Code 48205)

Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)

5. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)

- a. Appearance in court
- b. Attendance at a funeral service

Absences and Excuses

- c. Observation of a holiday or ceremony of his/her religion
- d. Attendance at religious retreats not to exceed four hours per semester

Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours.

At the beginning of each school year, the Superintendent or designee shall send a notification to the parents/guardians of all students, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

Students shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulations. (Education Code 46014)

Method of Verification

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative

Absences and Excuses

c. Name of verifying employee

d. Date(s) of absence

e. Reason for absence

Effect of Absence on Grades/Credits

If a student's absence is excused under Education Code 48205, he/she shall be allowed to complete any missed assignment or test that can be reasonably given, as determined by the teacher of that class. The student shall be given full credit for the assignment or test if he/she satisfactorily completes the assignment or test within a reasonable period of time. (Education Code 48205)

Replaces Policy 5113 (Adopted 9/24/58, Amended 9/23/59, 11/29/78, 3/23/83)

First Reading: September 9, 2014

Second Reading and Adoption: October 14, 2014

STUDENT SUSPENSION AND EXPULSION/DUE PROCESS

The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the period of suspension or expulsion.

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to him/herself or others. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in administrative regulation.

Student Due Process

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

On-Campus Suspension Program

The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the course work. The Board believes that in many cases, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student

study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is removed from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (Education Code 48900.1)

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get certain release time from work.

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Decision not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on case-by-case basis, pursuant to the requirements of law.

Legal Reference:
EDUCATION CODE
212.5 Sexual harassment
1981 Enrollment of students

17292.5 Program for expelled students
 33032.5 Hate violence reduction
 35146 Closed sessions (re suspensions)
 35291 Rules (for government and discipline of schools)
 35291.5 Rules and procedures on school discipline
 48660-48666 Community day schools
 48900-48926 Suspension and expulsion
 48950 Speech and other communication
 49073-49079 Privacy of student records
 CODE OF CIVIL PROCEDURE
 1985-1997 Subpoenas; means of production
 GOVERNMENT CODE
 11525 Contempt
 54950-54962 Ralph M. Brown Act (re closed sessions)
 HEALTH AND SAFETY CODE
 11014.5 Drug paraphernalia
 11053-11058 Standards and schedules
 LABOR CODE
 230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child
 PENAL CODE
 240 Assault defined
 242 Battery defined
 243.4 Sexual battery
 245 Assault with deadly weapon
 261 Rape defined
 266c Unlawful sexual intercourse
 286 Sodomy defined
 288 Lewd or lascivious acts with child under age 14
 288a Oral copulation
 289 Penetration of genital or anal openings
 422.6 Interference with civil rights; damaging property
 422.7 Aggravating factors for punishment
 422.75 Protected classes
 626.2 Entry upon campus after written notice of suspension or dismissal without permission
 626.9 Gun-Free School Zone Act of 1995
 626.10 Dirks, daggers, knives, razors or stun guns
 868.5 Supporting person; attendance during testimony of witness
 UNITED STATES CODE, TITLE 20
 6301 - 8962 Improving America's Schools Act, especially:
 8921 - 8922 Gun-Free Schools Act of 1994
 John A. v. San Bernardino School District (1982) 33 Cal. 3d 301, 308
 Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
 Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807
 80 Ops.Cal.Atty.Gen. 85 (1997)
 80 Ops.Cal.Atty.Gen. 91 (1997)
 80 Ops.Cal.Atty.Gen. 347 (1997)

Management Resources:

CDE PROGRAM ADVISORIES

0306.96 Expulsion Policies and Educational Placements, SPB 95/96-04

First Reading:	November 10, 1998
Adopted:	December 8, 1998
First Reading (revised):	January 9, 2001
Adopted (revised):	January 9, 2001

STUDENT DRUG, ALCOHOLIC BEVERAGE OR INTOXICANT USE

The governing board shall meet its legal and moral responsibilities for the welfare of students in the matter of drug (controlled substance), alcoholic beverage or intoxicant abuse by enforcing the provisions of the law in such cases, and by providing instructional opportunities which will inform students of the dangers of the misuse of such substances.

The principal and other personnel shall not tolerate any act of a student who is involved in the unlawful use, possession, sale, or who has otherwise furnished or been under the influence of any controlled substance (defined under Section 11007 of the Health and Safety Code to include but not be limited to heroin, marijuana, LSD, barbiturates, amphetamines) or any alcoholic beverage or intoxicant while on school grounds or during an activity off school grounds which is related to school attendance.

Any student who violates the provisions of this policy may be suspended and/or recommended to the Board for expulsion in accordance with the Education Code and Board policy.

Whenever it is established to the principal's satisfaction that a student has been involved in any controlled substance, alcoholic beverage or intoxicant of any kind violation, the principal may suspend the student, regardless of whether or not the violation is a first offence, if he or she determines that the pupil's presence constitutes a clear and present danger to the lives, safety, or health of pupils or school personnel.

The superintendent will develop administrative regulations and procedures for the processing of students involved in the violations cited above. Such regulations will include provisions for assessment and referral, administrative review, suspension/expulsion, and readmission to school.

The superintendent will provide an annual report to the Governing Board on implementation of this policy.

Legal References:

Education Code, Sections 48900 - 48901, 48903 - 48905, 48914 - 48915,

California Administrative Code, Title V, Section 5530

Health and Safety Code, Section 11007

PREVENTION OF STUDENT DRUG ABUSE

The possession, sale or use of euphoric, hallucinogenic, or behavior affecting substances by students in Dixie District schools is unlawful. Such use, which violates state and federal laws, constitutes a threat to the health and safety of the students and to the positive learning environment this District works to create and maintain.

The Governing Board supports the Administration's effort to forestall and prevent such use through measures which include:

Educating our students as to the serious health and safety consequences of drug and alcohol abuse.

Providing in-service to our teaching staff on recognizing the signs of a drug and alcohol user.

Inspecting school properties in search of prohibited substances.

Student lockers are hereby declared to be the property of Dixie School District. The search of any student locker shall be based on probable cause. Probable cause shall be deemed to exist:

When a student appears to be under the influence of drugs or alcohol.

When a reliable witness reports that a particular student is selling, purchasing or in the possession of drugs or alcohol.

It is an expectation of all Dixie personnel that they will inform the Principal of all suspected abusers. Abusers will be dealt with harshly. Specifically:

All cases of abuse will be reported to the appropriate authorities.

First offenders will be suspended for a minimum of three days. The Principal and Superintendent shall evaluate if the particular offense and/or other behavioral problems warrant considering expulsion.

Second offenders shall be referred to the Board for possible expulsion.

ATTENDANCE RECORDS FOR STUDENTS

Records of every pupil in the public schools need to be kept for the following purposes:

- 1) For apportionment of State Funds.
- 2) To insure general compliance with the compulsory education law, and performance by a pupil of his duty to attend school regularly.

Attendance in all schools and classes shall be recorded and kept according to pertinent state laws and regulations established by the State Board of Education.

Regulations to implement this policy shall be developed by the Superintendent.

Legal Reference:

Education Code 4600 - 46015

California Administrative Code, Title 5, Sections 400 - 438 Attendance Records Accounting

State Dept. of Education, School Business Administration Publication No. 5 - Attendance and Enrollment Accounting and Reporting in California Schools

Adopted 10/12/83

INTRODUCTION

The Governing Board believes that children should attend elementary schools where they live, and supports the concept of neighborhood schools. In addition, the Governing Board shall consider requests for interdistrict attendance as prescribed by the Education Code of the State of California, and by Board policy and District Administrative regulation.

1. RESIDENCY BASED ON PARENT/GUARDIAN EMPLOYMENT

Education Code 48204(f) provides that an elementary grade student who does not reside in the district shall be deemed to be a resident of the district if the student's parent/guardian works within its boundaries. The decision to admit such students is discretionary with the Board and is based primarily on space availability. If the District admits such students, it may not refuse to admit particular students on the basis of race, ethnicity, gender, parental income, scholastic achievement, or any other arbitrary consideration. The district may deny admission based on non-arbitrary considerations, including if the transfer would adversely affect the District's existing desegregation plan or if the cost of the student's education would exceed any additional state funds that the District would receive.

As space allows, priority will be given to those parents employed full-time in the District. "Employment" is the relationship of employer and employee; it does not include one who performs services as an independent contractor, but does include persons who are self-employed with a permanent place of business within the District. Written verification by the employer or by the parent or guardian, if self-employed, of the parent's employment of at least twenty (20) hours/week and for at least thirty (30) weeks, during school hours, per year will be required and attached to the original application and each subsequent verification.

2. RESIDENCY BASED ON PARENT/GUARDIAN EMPLOYMENT - ALLEN BILL TRANSFERS SB200 (SEE EDUCATION CODE SECTION 48204(A)(7))

SB200 was intended to address the concerns of caregivers, nannies, and other such workers who are required to stay overnight at their place of employment. District residency status may be granted to a student if the student's parent (or legal guardian) resides outside the boundaries of the school district but the parent is employed and lives with the student in the parent's place of employment within the boundaries of the school district for a minimum of three days during the school week.

3. APPROVAL/CONTINUING RESIDENCY BASED ON PARENT/GUARDIAN EMPLOYMENT

- A. The Superintendent or designee shall notify the district of residence of all children requesting admittance into the district on the basis of parent/guardian place of employment. Unless approved by the student's current district of attendance, no student shall be admitted into the district on the basis of a parent/guardian place of employment in excess of the limits imposed by law. (See Education Code 48204(f)(6). Pursuant to Education Code 48204, any decision to deny admission or transfer out of the district and the reasons for denial must be recorded in the minutes of the Board meeting at which the decision was reached and then transmitted in writing to the student's parent/guardian. A parent/guardian whose request for admittance is based on employment within the District's boundaries does not have the right to appeal a denial to the Marin County Board of Education.
- B. **Employment-Related Transfers:** EC 48204(b)(7) provides that, once admission has been approved for a student based on the location of his/her parent or guardian's employment, the district governing board shall allow the student to attend school through the eighth grade if the parent or guardian so chooses, subject to the limitations described below. Annual verification of employment is required for continued eligibility as an employment-related transfer.
- C. **Limitations on Approval:** Transfer requests for continuing students may be denied or revoked if supporting documentation is incomplete, falsified or not submitted on time as requested by the District; if the additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer; or if the transfer implicates any other provisions in EC 48204(b), paragraphs (1) to (6), inclusive.

4. APPROVAL OF NEW INTERDISTRICT TRANSFER REQUESTS

All transfer requests will require approval of the district of residence, and will be considered for approval subject to review by the Superintendent of the impact to District finances, class size, student-teacher ratios, facilities and curriculum. If the Superintendent determines that there is insufficient classroom space or programmatic capacity to accommodate all continuing transfer students, the Board will consider each request according to the priorities identified in paragraph B., below.

- A. **Criteria:** Each interdistrict transfer request will be judged on its individual merits. The criteria which shall be used by the Board in acting on a request to transfer to the District from another school district under this policy will include the following:

**DIXIE SCHOOL DISTRICT
INTERDISTRICT TRANSFER AGREEMENTS**

Policy 5117

1. Verification of all factual information and supporting documentation submitted with the transfer request. Any transfer request containing or based upon false information

or documentation will be denied or revoked, and the parent or guardian responsible referred to legal authorities as provided by law.

2. Classroom space available will be determined by the Board in accordance with the District's Class Size Policy. In order to comply with class size reduction requirements, new interdistrict attendance agreements will only be approved in:

- Grades K-3, if class size is below a maximum of 21 students per class
- Grades 4-5, if class size is below a maximum of 25 students per class
- Grades 6-8, if class size is below a maximum of 25 students per **core** class

Transfer requests for students in special education programs may also be denied, if approval of the request will exceed classroom or caseload capacities.

Class size projections will be prepared for each school and updated periodically for the Board, including all students living in the attendance area and all continuing transfer students. New transfer students are approved after consideration of the school's student population and projected class sizes at each grade level. In the event transfers must be disapproved solely for reasons of class size or program capacity, the students requesting such transfers will be placed on a waiting list for future consideration.

3. A determination that the additional cost of educating the pupil would not exceed the amount of additional State aid received as a result of the transfer.
4. Parents' agreement to sign, and abide by the terms of the Interdistrict Transfer Student Contract, and parents' willingness to be accessible to school staff to discuss any issues or concerns that may arise.

B. Priorities: The Board will use the following priority list for approving new Interdistrict Transfers:

- Special needs due to extraordinary circumstances (reciprocal relationship with districts)
- Children of full-time employees of the District
- Employment related transfers
- Residency Based on Parent/Guardian Employment (SB 200 Allen Bill Transfers)
- Other Interdistrict Transfer requests

As space allows, siblings of children already attending school within the District will receive highest priority in each of the above categories.

- C. Except as prescribed by law or specified by the Board, interdistrict transfers will be approved for one year only. Transportation will not be provided for students attending the District on interdistrict attendance agreements.
- D. The District retains the authority to determine the specific school to which the student will be assigned.
- E. A student who has been expelled from other school district may not be admitted to the District on an interdistrict attendance agreement during the period of his/her expulsion. Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials while expulsion proceedings are pending, or during the term of the expulsion.
- F. The parent or guardian of a student who is denied a transfer request shall receive notice regarding the appeal process to the District Board of Education.

5. APPROVAL OF INTERDISTRICT TRANSFER REQUESTS FOR CONTINUING STUDENTS

In general, the Governing Board shall consider approval of interdistrict transfer requests for continuing students prior to considering new interdistrict transfer requests, subject to the limitations prescribed by applicable law, regulations and District policy.

- A. **Limitations on Approval:** Interdistrict transfer requests for continuing students may be denied if supporting documentation is incomplete, falsified or not submitted on time as requested by the District, *or* if the additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.
- B. **Other Interdistrict Transfers:** All transfer requests will require approval of the district of residence and will be considered for approval subject to the review by the Superintendent of the impact to District finances, class size, student-teacher ratios, facilities and curriculum. If the Superintendent determines that there is insufficient classroom space to accommodate all continuing transfer students, the Board will consider each request using the following priorities:
 - 1. Educational continuity (i.e., completing K-5 or 6-8, students who move out of the district, number of years in the District, etc.)
 - 2. Special needs due to extraordinary circumstances (reciprocal relationship with other districts).

**DIXIE SCHOOL DISTRICT
INTERDISTRICT TRANSFER AGREEMENTS**

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Transfer requests for students in special education programs may also be denied, if approval of the request will exceed classroom or caseload capacities.

6. REVOCATION OF TRANSFERS

Under the authority of EC 46600, the Dixie School District stipulates the following terms and conditions under which an interdistrict transfer may be revoked:

- A. Failure to comply with all academic and behavioral requirements of the Interdistrict Attendance Contract. These terms are specified in the Interdistrict Attendance Contract, which must be reviewed and signed by parent/guardian and student, and returned to the District Office. Parents/guardians are advised in the contract that their student's interdistrict agreement may be terminated if the terms of the contract are violated during the school year.
- B. Determination by the district that the conditions qualifying the transfer for approval are no longer met.
- C. Determination by the district that the transfer request or supporting documentation contained was based upon false information.
- D. Determination by the Principal that the education program does not meet the student's needs.

7. REQUESTS FOR INTERDISTRICT ATTENDANCE AGREEMENTS OUTSIDE OF THE DISTRICT

Parents/guardians of students wishing to transfer out of the District shall complete an application for transfer. Applications will be approved or denied by the Superintendent or designee. Applicants will be notified in writing if the request is denied, and will be given the reason for the denial. Denials by the District may be appealed to the District Board of Education. If the appeal is denied, the request may be appealed to the Marin County Board of Education.

8. CERTIFICATION OF SUPPORTING DOCUMENTS

The Board requires that all requests for interdistrict attendance and the required supporting documentation be certified by the parent, guardian, child care provider or care giver under penalty of perjury. The Superintendent or designee is responsible for confirming the accuracy of information contained in such requests and documentation; investigating any

reported incidents of falsified information; recommending denial or revocation of transfers or transfer requests; reporting violations to the appropriate law enforcement agencies; and reporting such activities to the Board.

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INVESTIGATION OF RESIDENCY AB1101 (EDUCATION CODE 48204.1, 48204.2)

- A. When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, an investigation may be initiated to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency.
1. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.
 2. The Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make reasonable efforts to determine whether the student resides in the district.
 3. Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation.
 4. The investigation shall not include the surreptitious collection of photographic or/ video-graphic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view.

Education Code: #46600

*(Replaces Policy 5118 Adopted 4/23/13
Interdistrict Attendance – District of Choice)*

First Reading: April 19, 2016
Second Reading and Adoption: May 10, 2016

PARENT-INITIATED INTRA-DISTRICT ASSIGNMENT OF STUDENTS

For each school, there is an established attendance area. The boundaries have emerged from consideration of the proximity of the school to the community, transportation capabilities, and plan utilization considerations. *However, to serve the diverse needs of District students, transfers between attendance areas may be permitted according to the principles established below.*

Exceptions to attendance at the school of assignment may be made, *based on parent request*, when:

1. The health or safety of a student is jeopardized by continued attendance at the school of assignment. *A finding of such circumstances will be supported by documentation required by law;*
2. A child is repeating a grade assignment and the parents indicate a desire for an alternative school assignment because of a possible social stigma; or
3. Parents or guardians have procured child care services within the District but in a school attendance area other than that dictated by their address of residence.

All of the above situations *may be considered in reviewing a request for an intra-district transfer*, but only when the movement of the additional student will not alter normal school organizational patterns or *displace* other students from their normal school of attendance. *Intra-district attendance requests may also be denied based on enrollment capacity at the requested site.*

If a District school receives Title I funds, and is identified for program improvement, corrective action, or restructuring, all students enrolled in that school shall be provided an option to transfer to another district school.

If while on school grounds a student becomes a victim of a violent criminal offense, as defined by the California Department of Education (CDE), or attends a school designated by the CDE as persistently dangerous, s/he will be provided an option to transfer to another district school.

It is recognized that in unique instances deviations from this policy may be needed to meet the needs of students. In these instances, requests may be made to the Superintendent for consideration by the Board.

The District retains the right to revoke an intra-district attendance permit for reasons other than the student's academic or athletic performance.

Board Adopted:	January 24, 1979
First Reading (Revised):	February 8, 2011
Adoption (Revised):	March 8, 2011



DIXIE SCHOOL DISTRICT

Spring, 2014

Dear Parents/Guardians of Dixie Elementary School District Students:

**PLEASE NOTE: This letter does NOT apply to inter-district transfer students--
who reside outside the Dixie School District attendance area.**

The Dixie School District has adopted an Open Enrollment (Policy 5119.1) allowing parents to make a choice regarding the school their child attends. If the "school of choice" is outside the student's attendance area, the parents may *apply* for an **intra**-district transfer requesting that school. These requests must be submitted by June 30, 2014.

After students living within the attendance area of the desired school are placed, those who have applied for an **intra**-district transfer will be placed at the desired school **if there are openings at the appropriate grade level**. If more students apply than openings exist, the decision will be made by lot, with siblings of students already attending that school given priority. A waiting list will be established, also by lot, to determine the order in which students may be accepted as openings occur.

NOTE: School bus transportation is not available to schools outside the student's attendance areas.

CURRENT INTRA-DISTRICT TRANSFER STUDENTS NEED NOT REAPPLY. However, the student may be subject to displacement prior to the beginning of the next school year due to increased enrollment of students residing in the attendance area.

The District will make every effort to inform applicants by mail, prior to August 1, whether their application has been approved, denied, or placed on a waiting list.

If you are interested in applying for an **intra**-district transfer for your student, please fill out the form below and return to: **Ginny Pheatt, Dixie School District, 380 Nova Albion Way, San Rafael, 94903 by June 30, 2014.**



INTRA-DISTRICT TRANSFER REQUEST

Student(s) Name

Grade Entering in 2014/15

Address: _____

Phone: _____

School Requesting 2014/15: 1st Choice _____ 2nd Choice _____

Currently attending a Dixie District School _____ *(which site)*

Does Student have siblings at school requested? Yes ____ No ____ if yes, name of Sibling: _____

Parent/Guardian Signature: _____ **Please Print Name:** _____
(please circle one: Mr. Ms. Mrs.)

Address (if different from above): _____

OPEN ENROLLMENT POLICY

The governing board desires to provide options that meet the diverse needs, potential and interests of the district's students. To that end it shall annually review enrollment options for students.

The district Superintendent shall recommend and the governing board shall approve on an annual basis the district enrollment capacity and the enrollment capacity of each district school.

Based on these enrollment capacities, the superintendent may adopt regulations that limit enrollment of students who are deemed residents of the district under Education Code Section 48204 (f) (work related interdistrict transfers).

Parents or guardians of each school age child who resides within the district may apply to enroll that child in any district school irrespective of the location of the child's residence within the district.

The district shall employ a random, unbiased process for considering enrollment applications where the number of applications received is in excess of the school capacity. This process shall prohibit an evaluation of whether any pupil should be enrolled based upon his or her academic or athletic performance.

1. No pupil who currently resides in the attendance area of a school shall be displaced by pupils transferring from outside the attendance area.
2. The district retains the authority to maintain appropriate racial and ethnic balance among district schools.
3. The district may employ entrance criteria for specialized schools or programs if the criteria are uniformly applied to all applicants.
4. The district retains the right to assign a student to a school or program if the student requires a legally mandated program or accommodation which is available at that school such as a special education or bilingual program.
5. The district retains the rights to assign a student to a school for disciplinary reasons or for the protection of the health and safety of that student or other students.

Transportation assistance will be provided only on established routes and only to the extent that the district otherwise provides transportation assistance to pupils.

Legal Reference:

Education Code Sections 35160, 48204, 48980

Adopted: 6/29/94

ADVANCED PLACEMENT OF KINDERGARTEN PUPILS

A child who has been lawfully admitted to the Kindergarten of Dixie School District and, in accordance with the rules and regulations adopted by the State Board of Education, is judged by the school district administration to be ready for first grade work may be admitted to the first grade at the discretion of the school administration of the district and with the consent of the child's parents or guardians, regardless of age.

Legal Reference:

Education Code 48011

Adopted 9/11/63

Revised 3/14/79

PUPIL PLACEMENT

The building principal shall establish class sizes in accordance with the ratios agreed upon in the Collective Bargaining Agreement between the District and the Dixie Teachers Association.

The building principal and teaching staff share the responsibility for student placement in balancing class size, ratio of boys to girls, academic achievement, student behavior and social needs, leadership, and learning styles. Parent requests, in writing, will be considered if based upon educational or developmental rationale, such as: a sibling's experience with a specific teacher; a clearly explained need for a particular teaching or disciplinary style; a mutually-agreed need for separation of specific youngsters.

Principals are required to notify parents by card or letter of pupil assignment prior to the opening of school. Notification shall include grade level, name of teacher, room number, the opening date and the opening and closing times of the school for the particular grade level.

Requests for changes in assignments made after parental notification can be honored for exceptional needs only. The names of students to be considered under this provision may be submitted by parents, teachers, psychologists, or resource specialists. Such requests must be based upon educational criteria acceptable to the Principal and involved teacher.

The Principal is the final authority for placement decisions.

Ed. Code 48011

Adopted 12/17/64
Amended 11/29/78
Amended 4/9/80
Amended 4/9/83
Amended 4/9/91
Reviewed 9/14/93

PROMOTION/ACCELERATION/RETENTION

The Governing Board expects students to progress through each grade within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual students and include strategies for addressing academic deficiencies when needed.

All students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

When high academic achievement is evident, the Superintendent or designee may recommend a student for acceleration into a higher grade level. The student's social and emotional growth shall be taken into consideration in making a determination to accelerate a student. Acceleration will be determined by teacher recommendation, Student Study Team review, or Individual Education Plan recommendation.

As early as possible in the school year and in students' school careers, the Superintendent or designee shall identify students who would be retained and who are at risk of being retained in accordance with law, Board policy, administrative regulation, and the following criteria:

- Grade level content standards
- Grades
- State Standards Testing and Reporting System (STAR)
- Attendance
- Student Study Team/Individual Education Plan recommendation

When a student is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall provide opportunities for remedial instruction to assist the student in overcoming his/her academic deficiencies. Such opportunities may include but are not limited to tutorial programs, after-school programs, summer school programs, and/or the establishment of a student study team.

The decision to promote or retain a student may be appealed to the Board of Trustees.

The Dixie School District recognizes the value of the school and home partnership to support students in fulfilling their educational potential throughout their school careers.

Legal References:

EDUCATION CODE

37252-37253

Summer school

46300 Method of computing ADA

48011 Admission on completing kindergarten;
grade placement of pupils coming from other districts

48070 Promotion and retention

48431.6 Required systematic review of students and grading

51215 Proficiency standards in basic skills

51216 Assessment of pupil proficiency

51217 Withholding diploma (high school)

51218 Separate proficiency standards

56345 Elements of individualized education plan

60641-60647

Standardized Testing and Reporting Program

60648 Minimum performance levels

CODE OF REGULATIONS, TITLE 5

200-202 Admission and exclusion of students

Management Resources:

CDE PROGRAM ADVISORIES

06121.89-06123.89

Educating Young Children: Next Steps in Implementing the School Readiness Task Force Report

0916.91 Retention of Students in Elementary and Middle Grades, CIL 91/92-02

CDE MANAGEMENT ADVISORIES

0900.90 Changes in Law concerning Eligibility for Admission to Kindergarten 90-10

LEGISLATIVE COUNSEL OPINION

1001.98 Promotion and Retention #21610

CSBA ADVISORIES

1112.98 Student Promotion/Retention Advisory

WEBSITES:

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

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

Adopted:	3/11/97
First Reading (revised):	12/14/99
Adopted (revised):	1/11/00
First Reading (revised)	7/11/00
Adopted (revised)	8/8/00
First Reading (revised)	3/14/06
Second Reading/Adopted:	3/28/06

REPORTING PUPIL PROGRESS TO PARENTS

The basic system of the Dixie School District for reporting pupil progress to parents will be the report card system adopted by the Board of Trustees.

Parent-teacher conferences are considered to be an integral and important adjunct to the basic report card system. Teachers are required to conference with the parent(s) of each elementary school student at least once during the academic year and with the parent(s) of middle school students as needed and to involve the student whenever it is deemed appropriate as part of the evaluation and goal-setting process.

To facilitate this aspect of the report system, the Dixie District will provide for a number of minimum days coincidental to the report period for conferencing purposes, the number of days to be recommended by the Superintendent and adopted as part of the school calendar annually.

Nothing in this policy is intended to preclude teachers from supplementing the basic report system by the utilization of anecdotal records, checklists, or narratives of developmental educational history if the individual teacher feels that it would benefit students, parents, or both. The same applies to the frequency of parent-teacher-student conferences.

Whenever and at whatever grade level there arises an extraordinary problem in assigning letter grades to a particular student, the teacher may petition the principal, after receiving concurrence from the parent(s), for permission to use an in-lieu reporting system that he feels to be more appropriate for the child.

REPORTING NORM-REFERENCED TEST RESULTS TO PARENTS

Dixie School District will administer the State approved test to students in grades 2, 3, 4, 5, 6, 7, and 8 each Spring.

The District will report each child's individualized scores in writing to the parent or guardian of the child. The report shall include:

1. An explanation of the test.
2. The pupil's scores.
3. The intended use of the results of the test.

Parents will be notified of additional sources of information for the State STAR testing program.

Parents will be notified if test results will be used for student eligibility for specific educational programs (e.g., GATE). Parents have the option to accept or decline their child's participation in the specific educational program offered (e.g., GATE).

Adopted: 1/14/87
Revised: 4/25/95
First Reading (Revised): 7/13/99
Adopted (Revised): 8/24/99

STUDENT RECORDS

The California Cumulative Record, or one of similar detail, shall be maintained for each pupil enrolled in the Dixie School District. All personal data required by law and such other information necessary to maintain a history of a pupil's personal development and educational progress in school shall become part of the cumulative record.

The cumulative record will be presented to the parent(s) of a student for examination upon request. Assistance in interpreting the record will be provided when requested.

In order to assure consistency in release of confidential information to all schools, the District schools will provide data to both public and private schools on standard Dixie District forms. These forms will be included in the administrative regulations regarding student records.

Psychological evaluations and examinations are not filed as part of the cumulative record but are kept in a separate file in the Guidance Office. Parents will be accorded access to these records upon request.

Copies of all records will be made available to parents for the cost of reproduction. The formal transfer of the official records must be between school entities. However, a pupil-carried transcript by a receiving school to facilitate enrollment pending formal school-to-school student record transfer.

Education Code Section 49065 and Federal Regulation Section 99.8 allow a reasonable fee or charge for furnishing or transferring copies of student records with respect to school districts and private schools that receive federal funds. No charge may be made to search for or to retrieve any student record. With respect to school districts, two copies of transcripts and verification of records shall be provided upon request at no cost. A charge for more than two copies shall not exceed the actual cost.

Disposition and transfer of cumulative records will be in accordance with applicable state and federal regulations.

Legal References:

Education Code 49061 (e), 49063 (f) and (h), 49065
Administrative Code Title 5 Section 431

Adopted 7/27/60
Revised 2/7/80
Revised 3/10/82
Revised 1/2/83
Revised 4/25/84

DIRECTORY INFORMATION

The following student information is declared to be directory information:

1. Name
2. Address
3. Telephone number
4. Date and place of birth
5. Participation in officially recognized activities and sports
6. Weight and height of members of athletic teams
7. Dates of attendance
8. Awards received

Directory information may be released to the following:

1. Federal, state and local governmental agencies
2. Representatives of the news media, including but not limited to newspapers, magazines and radio and television stations
3. Employers or prospective employers
4. Nonprofit youth organizations
5. Nonprofit organizations formed to raise funds for education

No information may be released to a private profitmaking entity other than employers, prospective employers and representatives of the news media.

The Superintendent may, at his discretion, limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of pupils.

Notice shall be given annually of the categories of information which the district plans to release and of the recipients.

- a. The district shall allow a reasonable period of time after such notice has been given for a parent or guardian to inform the custodian of pupil records that any or all of the information designated should not be released without the parent's or guardian's prior consent.
- b. No directory information shall be released regarding any pupil when a parent or guardian has notified the school district that such information shall not be released.

Legal Reference: Education Code 46061, 49073

Adopted 9/12/84

SCHOOL CONTACTS WITH NON-CUSTODIAL PARENTS

The Dixie Board of Trustees believes it is appropriate to afford non-custodial parents* the opportunity to be informed and to participate in the education of their children on the same basis as any parent. Access to the records shall be in accordance with District Policy #5125 Student Records. Upon request, non-custodial parents shall be entitled to exercise all parental rights to the extent that such rights are not restricted by a legally binding instrument or court order. Action shall be taken to inform non-custodial parents of their rights and to assist them in the exercise of these rights.

* A non-custodial parent refers to the parent who does not have custody of the child, but does have the right to information about the child's education.

OFFICIAL SCHOOL PUBLICATION (Publication Code)

"Official school publication" shall refer to material produced by students in the Journalism, Newspaper, Year Book, or Writing classes and distributed to the student body either free or for a fee.

The Governing Board recognizes the value of official school publications in teaching Journalism, English, Writing, and other skills. It is the intent of the Board to support and encourage such publications.

This policy affirms the importance of official school publications as a form for students' free expression, including topics about which there may be dissent and controversy. Such free expression is guaranteed, subject only to the prohibitions set forth in Education Code Section 48916.

The Superintendent shall develop a written official School Publication Code which shall include:

1. A statement of the purpose of official school publications;
2. Responsibilities of official school publication Advisors and Student Editors;
3. A listing of prohibited material;
4. The manner, time, and place of conducting activities;
5. Procedures for resolving differences.

BULLYING

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student. This policy applies to bullying on school grounds, while going to or coming from school or school-related activities, and off-school grounds in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance. (Ed. Code §234.1(a))

No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, commit hate violence against any other student or school personnel, or in violation of Education Code section 48900 et seq.

(cf. 5131 -Conduct)

(cf. 5136 -Gangs)

(cf. 5145.3 -Nondiscrimination/Harassment)

(cf. 5145.7 -Sexual Harassment)

(cf. 5145.9 -Hate-Motivated Behavior)

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 -Freedom of Speech/Expression)

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in of bullying.

(cf. 5137 -Positive School Climate)

(cf. 6164.2 -Guidance/Counseling Services)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, board policy, and administrative regulation

governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 -School Plans/Site Councils)
(cf. 0450 -Comprehensive Safety Plan)
(cf. 1220 -Citizen Advisory Committees)
(cf. 1400 -Relations Between Other Governmental Agencies and the Schools)
(cf. 6020 -Parent Involvement)

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6163.4 -Student Use of Technology)
(cf. 6142.8 -Comprehensive Health Education)
(cf. 6142.94 -History-Social Science Instruction)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

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

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Any student who believes that he, she or another person has been bullied in violation of BP 5130 is encouraged to promptly report the incident(s) to a teacher, a school counselor, the school site administrator, or the Superintendent. In addition, the Superintendent, school site administrator or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Ed. Code §234.1)

As appropriate, the Superintendent, school site administrator or designee shall notify the parents/ guardians of victims and perpetrators. A victim, witness, or perpetrator may be referred to school counselors, mental health counselors, other school support services, and/or law enforcement.

Complaints and Investigation

Any student who believes that he, she or another person has been bullied in violation of BP 5130, Bullying, is encouraged to report the incident(s) promptly to a teacher, a school counselor, the school site administrator, or the Superintendent. The complaint shall be investigated in accordance with Administrative Regulation 5130 if not resolved through voluntary informal mediation.

When the complaint involves cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and notify a teacher, school counselor or school site administrator, or the Superintendent.

If cyberbullying involves the use of a social networking site or service that has terms of use prohibiting the posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Restorative/Corrective/Disciplinary Action

Any person who is found to have engaged in bullying on school grounds, going to or coming from school or school-related activities, or in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance shall be subject to restorative, corrective and/or disciplinary action in accordance with board policy, administrative regulations, state law, and any applicable collective bargaining agreement. Restorative, corrective, and/or disciplinary action(s) may include, but are not limited to, counseling for the complainant, other persons impacted by the bullying, and the respondent; verbal or written warnings; limiting respondent's contact with the complainant; school-wide actions, such as education and training, to stop the bullying and prevent a recurrence; and suspension, expulsion or dismissal in accordance with applicable policies, laws and/or collective bargaining agreements.

(cf. 5138 -Conflict Resolution/Peer Mediation)

(cf. 5144 -Discipline)

(cf. 5144.1 -Suspension and Expulsion/Due Process)

(cf. 5144.2 -Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 -Behavioral Interventions for Special Education Students)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten through Grade Twelve,

2008

Bullying at School, 2003

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

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr>

First Reading: November 10, 2015

Second Reading and Adoption: December 8, 2015

(Replaces Policy 5130 adopted 6/26/12)

DISCIPLINE POLICY

In a free, democratic society it is expected that its citizens will voluntarily subscribe to a course of behavior that is consistent with the goals of achieving responsible behavior without coercion or restraint. The importance of self-discipline is a matter to be demonstrated, taught, and expected of all students by all personnel in their day-to-day relationship with the students.

State law requires that statutes enacted by the State for the control of responsible and/or disruptive behavior by students be enforced by the Governing Board and employees of the school district. The Board expects the staff, both certificated and classified, to recognize a mutual responsibility for the enforcement of such policies. It is hoped that all students will meet their responsibilities with respect to this matter.

Further, the Governing Board recognizes that an effective discipline policy requires that sufficient diagnostic and counseling services be provided so that continually disruptive students shall not be returned to regular classes without some corrective or therapeutic action being taken.

Further, it is the intent of the Governing Board that such policies be enforced fairly and consistently, without regard to race, creed, color or sex.

Administrative staff will review the appropriate discipline policies and regulations on an annual basis.

At the beginning of each school year, each pupil's parents/guardians shall be notified of the availability of district and school rules pertaining to student discipline.

Note: For other policies pertaining to this topic, please see: Corporal Punishment, Pupils Suspension/Expulsion, and Student Drug, Alcoholic Beverage and Intoxicant Use.

CORPORAL PUNISHMENT

The Dixie School District has rarely administered corporal punishment as a means of disciplinary action. For purposes of this policy, corporal punishment is defined as a calculated or spontaneous physical contact administered to a pupil by the principal, vice principal, or other certificated or classified personnel for the purpose of punishment. In the Dixie School District corporal punishment shall not be administered to a pupil under any set of conditions.

The provisions of this policy do not restrict a principal, vice principal, or other certificated or classified personnel from exercising reasonable physical contact to preserve the health or safety of a pupil and/or other persons in the class or school activity or in the responsibility to carry out Board policies and/or administrative regulations. In each case, where such physical contact is exercised, a report to the principal is required.

The Superintendent will develop appropriate Regulations to implement this policy that are consistent with existing law.

The Superintendent will provide an annual report to the Board on the implementation of this policy.

STUDENTS - BUS TRANSPORTATION

The Governing Board has elected to provide bus transportation for students within the district in accordance with Education Code Section 39800. Such transportation will be extended as privilege and right, however, only insofar as the individual student continually and habitually displays good conduct and behavior when preparing to ride, riding or after debarking from the bus.

Pupil Behavior on School Buses

Students being transported shall abide by the following rules:

Students shall remain seated in their original seats throughout the trip;
Smoking, eating or drinking of any beverage is prohibited on school vehicles;
Shouting, or other boisterous behavior, will not be permitted;
Students may not talk to, or bother the driver while en route. Distractions of this nature tend to disrupt the driver's concentration and can prove very hazardous.

If the conduct of the children becomes such that the driver is distracted, the driver shall stop the bus when it is safe to do so, and proceed when the situation is corrected.

Failure to comply with the rules and regulations for bus riders in the district shall be sufficient reason for a pupil to be denied transportation.

Authority of Driver

"Pupils transported in a school bus shall be under the authority of, and responsible directly to, the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway or road. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation. A bus driver shall not require any pupil to leave the bus en route between home, school or other destinations."*

Early Warning Notification of Pupil and Principal

Students who violate the rules of conduct will be advised by the bus driver of the nature of the violation. Written notice of the incident and problem will be provided the principal, who will then take the following actions:

1. Confer with and advise the student of the consequences of continued misconduct and take immediate action as deemed appropriate.
2. Notify the parents of the violation report, the conference with the student and the action taken, and the nature of the consequences of continued misconduct.

STUDENTS - BUS TRANSPORTATION (continued)

Notification of Principal - Continued Disorderly Conduct

An individual student, previously noticed and informed by the bus driver and principal that he stands in violation of the rules cited above and who will fully persist in such behavior, will be dealt with in the following manner:

1. At the first available opportunity, the bus driver will present himself and the offending student to the school principal.
2. The principal will hear the charges presented by the bus driver and allow the student to present his version and evidence in defense.
3. After receipt of testimony, the principal, in consultation with the bus driver, will decide on the action to be taken.

Suspension of Riding Privileges

If the principal and bus driver are in agreement that the student should be suspended from the bus riding privileges, the following actions need to take place:

1. Inform the student that effective with the next day's schedule, bus transportation has been revoked.
2. Inform the student of the length of suspension and the conditions that will apply upon the restoration of the bus riding privileges.
3. Notify the parent of the action taken and the effective dates.
4. Advise the parents of their rights of a formal review with the Superintendent.
5. Provide the Superintendent with a notification summary.

First suspensions will, in most instances, be of short duration, while succeeding suspensions will probably invoke penalties of greater length.

Parents should be made aware of the possibility of more severe restrictions commencing with the first communication.

Legal Reference:

*Section 14263, California Administrative Code, Title V, Authority of Driver
Education Code, 39800, Powers of Governing Board to Provide Transportation for Pupils to and From School

Adopted 2/27/80
Amended 10/13/82

VANDALISM

It shall be the policy of the Board of Trustees of the Dixie School District to seek restitution from any responsible person in the amount of the damage for any act of vandalism committed by that individual, or from the parents or guardians of that responsible person, if a minor.

Vandalism includes negligent, willful, or unlawful damaging or taking of any District owned real or personal property. A pupil who defaces, damages, or destroys any school property or willfully or negligently injures another pupil or school employee is liable for financial restitution for damages and subject to suspension or expulsion, according to the nature of the offense. The parents or guardians having custody or control of a minor who commits an act of vandalism shall be held liable for such damage to the extent of \$2,000 as stipulated in the Education Code. However, this does not preclude the District from seeking recompense beyond this amount through civil action.

Any pupil, or the parents or guardians of any minor pupil, shall also be held liable for all property belonging to the school district loaned to the pupil or individual and not returned on demand by the District.

In addition, any person whose willful misconduct has resulted in injury or death to any student or any person employed by the school district, or who has willfully damaged or destroyed in any way any property, real or personal, belonging to the school district shall be liable for any reward paid for information leading to the determination of the identity of, and the apprehension of the responsible person.

Administration shall make an annual report to the Board of Trustees as to the extent of the vandalism.

Legal Reference:

Education Code

48900 Grounds for suspension (or expulsion)

48909 Willful misconduct, limit of liability of parent or guardian

44810 Willful interference with classroom conduct (minors over 16 years
of age or adults not pupils of school)

California Administrative Code, Title 5

305 Pupil responsible for care of property

Civil Code

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

Government Code

53069.5 Reward for information concerning person causing death, injury, or property damage;
liability for reward

Adopted 1/12/83

TOBACCO

Smoking presents a health hazard which can have serious consequences both for the smoker and the nonsmoker. Students shall not be allowed to smoke, chew or possess tobacco or nicotine products on school property or during school hours, at school-sponsored events, or under the supervision of district employees. (Education Code 48901) Students who violate this policy shall be subject to disciplinary procedures which may result in suspension from school. (Education Code 48900)

The Board shall provide instruction regarding the effects of smoking on the human body and shall take steps to discourage students from making it a practice to smoke. (Education Code 48901, 51202)

Legal Reference:**EDUCATION CODE**

44049	Known or suspected alcohol or controlled substance abuse by student
48900	Suspension or expulsion (grounds)
48900.5	Suspension, limitation on imposition; exception
48901	Smoking or use of tobacco prohibited
48909	Narcotics or other hallucinogenic drugs
51202	Instruction in personal and public health and safety
51203	Instruction on alcohol, narcotics and restricted dangerous drugs
51260	Elementary and secondary school instruction in drug education by appropriately trained instructors

STUDENT RIGHTS AND RESPONSIBILITIES (Freedom of Speech & Expression)

Statement of Intent

The process of educating students for responsible citizenship in a democratic society requires reasonable opportunity for them to exercise the rights of freedom of speech and expression in the context of the public school environment.

The purpose of this policy is to insure the exercise of these rights with due regard to the rights of others and the need for reasonable restrictions in the operation of the public school system.

In order to provide this experience for students within the framework of Education Code Section 10611, the Board of Trustees of Dixie School District establishes the following policies, to be supplemented by administrative rules and regulations as reasonably required:

- I. Students of the District have the right to exercise free expression including, but not limited to, the use of bulletin boards, the distribution of printed materials or petitions, and the wearing of buttons, badges, and other insignia.
 - A. Circulation of Petition,s Circulars, Newspapers, and other Printed Matter -
Students shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter subject to the following specific limitations:
 1. Time - The time of distribution shall be limited to the hours before school begins, during the lunch hours, and after school is dismissed.
 2. Manner - The manner of distribution shall be such that:
 - (a) Coercion is not used to induce students to accept the printed matter or to sign petitions
 - (b) Funds or donations are not collected for the material distributed
 - (c) Leaflets and printed material to be distributed shall be submitted to the designated school official at least 24 hours prior to such distribution. Approval or disapproval of such distribution shall be indicated within six (6) hours or by the same time the next school day. The official may limit the number of students or groups of students who may distribute the materials in any one day.
 - (d) Materials are not left undistributed or stacked for pickup while unattended at any place in the school or on school grounds.
 - B. Buttons, Badges, and Other Insignia of Symbolic Expression
Students should be permitted to wear buttons, badges, armbands, and other insignia as a form of expression, subject to the hereinafter mentioned prohibitions.
 - C. Bulletin Boards
Students shall be provided with bulletin boards for use in posting student materials on campus locations convenient to student use. Where feasible, location and numbers of such bulletin boards shall be by joint agreement of local student government representatives and the local school administration.

STUDENT RIGHTS AND RESPONSIBILITIES (Freedom of Speech & Expression)

- II. In the exercise of the student rights described above, no student shall distribute materials, wear buttons or other displays nor post notices or other materials which:
 - 1. Are obscene to minors according to current legal definitions.
 - 2. Are libelous or slanderous according to current legal definitions.
 - 3. Incite students so as to create a clear and present danger of the imminent commission of unlawful acts on school premises or of the violation of lawful school regulations or of the substantial disruption of the orderly operation of the school.
 - 4. Express or advocate racial, ethnic, or religious prejudice so as to create a clear and present danger of imminent commission of unlawful actions on school premises or of the violation of lawful school regulations or of the substantial disruption of the orderly operation of the school.
 - 5. Are distributed in violation of the time, place and manner requirements.
- III. The principal of each school shall designate a person (principal, vice principal, or other administrator) to review material and exercise administrative responsibilities as required by this policy. The name of the designated person shall be suitably posted and his decision shall be final in regard to the prohibitions named in Section II of this policy. However, any student may appeal a decision concerning this policy to the Superintendent who shall render a decision within a reasonable time or not later than one school day after receipt of the appeal. The appeal shall be based solely on the standards established in Education Code Section 10611.
- IV. Knowing violation of this policy by any student is sufficient cause for suitable disciplinary action to be taken.
- V. The designated local school administrator shall develop administrative rules and regulations to implement this policy, in conjunction with student government representatives. In case of a disagreement, the decision of the designated Administrator shall be final.

Legal Reference:
Ed. Code Section 10611

Board Adopted 9/12/73

STUDENT BODY ORGANIZATION AND STUDENT BODY FUND

The board of Trustees of the Dixie School District, by authority granted in Education Code Section 48930, hereby authorizes the establishment of a Student Body Organization in Miller Creek Middle School, which organization shall be open for membership to all students in the school.

In accordance with Education Code Section 48933, the Board of Trustees of the Dixie School District authorizes the establishment of a Student Body Fund for the above-mentioned Student Body Organization. The fund shall be under the supervision of the District Superintendent, who may delegate such authority to the principal of the school.

The Superintendent shall, upon the adoption of this Policy, provide rules and regulations for the control of the above-mentioned Student Body Fund in accordance with Business Administration Publication No. 8, California State Department of Education, for future review and adoption by the Board.

Legal Reference: Ed. Code Sections 48930-48933

Adopted 2/20/61
Amended 10/16/66
Reviewed 11/29/78
Reviewed 2/13/85

CLASS PICTURES

Individual pupil pictures may be taken at the several schools of the district by commercial photographers. When such pictures are taken, all financial transactions and arrangements shall be the responsibility of the parent-teacher organization or the Board authorized student body organization of the school. Any arrangements must have the approval of the principal.

Any profits accruing from the taking and selling of school photos shall go to the treasury of the parent-teacher or student body organization.

Principals may request that the photographer furnish one (1) picture for each child, to be placed on the cumulative folder.

The Superintendent shall prepare appropriate regulations for the guidance of principals in administering this policy.

HEALTH EXAMINATION AND IMMUNIZATION REQUIREMENTS

Students shall not be admitted to the schools of the Dixie School District without documentation that a health examination was performed within the previous six months prior to kindergarten entry. Health examinations must follow State CHDP (Child Health and Disability Prevention) guidelines.

Students shall also not be admitted to the schools of the Dixie School District who have not been immunized against Poliomyelitis, Measles (Rubeola), Rubella (German Measles), Diphtheria, Pertussis (Whooping Cough), Tetanus and Mumps.

Pupils entering school for the first time must have a written immunization record of receipt of each required vaccine dose from a physician, nurse or health department (or an exemption to the immunization requirements.) Parents/guardians do not have the option of filling in and signing the immunization records themselves. They must be referred to a physician, nurse, or health department.

Each school shall be responsible for specific record-keeping with regard to the California School Immunization Record (CSIR) for each student enrolled, in accordance with the Government Code and Education Code. This information shall be recorded on the blue CSIR (California School Immunization Record) form.

Conditional attendance up to 30 school days may be allowed for pupils transferring from outside of California or from another California district.

The Superintendent shall be responsible for providing specific regulations to meet these requirements.

Legal References:

Government Code Sections 1090 to 1096
Education Code 46010.5 and 4908
School Immunization Handbook
California Administrative Code, Title 17 Sections 6000-6075

Adopted 12/61
Revised 12/12/79
Revised 4/25/83
Amended 4/11/84
Amended 4/23/86
Revised 2/27/90

ADMINISTRATION OF MEDICATION AT SCHOOL
Policy and Procedure

Purpose: To ensure the safe, accurate administration of medication to students during school hours in compliance with the California Education Code, legal mandates and safe practice (California Education Code, Sec. 49423; American Disabilities Act, Sec. 504).

Policy: All medications, including prescription and over the counter medication administered to students by school personnel or by students themselves shall require the following document:

a. Authorization to Administer Medication

This form must be signed by the legal parent/guardian and treating physician and shall include:

1) Student's name, medication name, medication dosage, medication frequency for administration and duration of treatment. 2) Consent authorizing designated school personnel to contact physician should questions arise.

NOTE: Any form of aspirin is not recommended for children under 18.

Procedure:

1. All medication containers shall be clearly labeled with student's name, medication name, dosage, frequency and if applicable, expiration date of order.
2. Medication shall be administered by the school nurse or assigned trained school personnel unless a student has been authorized to self-administer medication as directed by the parent and physician in writing on the Authorization to Administer Medication form provided by the school.
3. All prescription medication will be stored at the direction of parent and physician as described in writing on authorization form.
4. All medication that is administered shall be recorded either on a master log or in the student's health record. The student's name, medication name, dosage and time administered shall be recorded and signed by the person administering the medication.
5. A file shall be maintained to keep Authorization to Administer Medication forms in students' health records.
6. Any adverse reaction to medication administered at school shall be managed according to the school district's procedure for response to student illness/injury.
7. All medications and corresponding Authorizations to Administer Medication shall be renewed annually.
8. All medication shall be returned or disposed of at the close of the school year.
9. All concerned staff shall be notified of the special needs of the individual students, and staff shall be trained as deemed necessary by the condition or medication on cautions, signs and symptoms and proper administration techniques where applicable.

Responsibility of School Administration:

1. To establish and carry out policy and procedures for the safe, accurate administration of medication according to the California Education Code and other legal mandates.
2. To inform parents and school staff of the policy and procedures for administration of medication at school.
3. To provide for the training of assigned school personnel in the appropriate administration of medication.
4. To provide for the appropriate maintenance of student medication records.
5. To provide for the safe storage of student medication at school as dictated by parent and physician in writing and in compliance with school policy.

ADMINISTRATION OF MEDICATION AT SCHOOL

Responsibility of Assigned School Personnel:

1. To administer medication to a student only if an Authorization to Administer Medication is on file.
2. To check the medication to be administered against the information on the Authorization to Administer Medication for accuracy.
3. To double-check the student name, medication and dosage and ask the student to self-identify prior to giving the medication.
4. To accurately document all medication administered.
5. To maintain student medication records in a confidential manner.
6. To notify the parent/guardian in the event of an adverse reaction to the medication and follow school district policy/procedure if emergency or urgent health care is needed.

Responsibility of School Nurse:

1. To monitor school district medication administration practice for compliance with established policy and procedure.
2. To train assigned school staff in the appropriate administration of medication and the school district policy and procedure.
3. To administer medication and document the administration according to school district procedure and in compliance with legal mandates.
4. To maintain student medication records in a confidential manner.

Responsibility of Physician:

1. To communicate to the parent and child a clear understanding of the child's medical condition, treatment plan and medication needs.
2. To convey to the school in writing, what the specific medication needs are for the child. The original medication container may be used in lieu of physician signature.

Responsibility of Parent/Guardian:

1. The parent shall educate the student and school staff with as much information as is appropriate to enable the student to comprehend and carry out his/her own care with the school's assistance when necessary.
2. To obtain the required signatures on authorization forms.
3. To return completed authorization forms to the school in a timely fashion, along with any required medication.
4. To update in writing any changes made in the treatment plan.
5. To renew all forms annually.

Responsibility of Student:

1. To learn as much as possible about his/her medical condition and its care so as to live life to its fullest potential.
2. To know how and when to self-administer medication or treatment, when deemed appropriate, or to seek the help of designated school personnel to administer medication or treatment.
3. To assume responsibility, as age appropriate, for notifying teachers/school personnel of self-perceived limitations in the course of the activities of the normal school day.
4. To maintain safe care of one's own medication when deemed appropriate.
5. To sign the Contract for Self-administering Medication at School.

Procedure for Medical Emergencies

If there is an emergency at the school that the school secretary does not feel confident in handling, she/he should follow the following procedure:

1. Notify principal or person in charge to determine necessity of calling 911 and/or parents or emergency contact.
2. Render immediate first aid as indicated.
3. Locate emergency card and notify parent or emergency contact.
4. If 911 called, notify Superintendent.

HEAD LICE

Because head lice are not uncommon and are easily spread, the Superintendent or designee shall send information about the treatment and control of head lice to parents/guardians as needed to prevent the spread of infestations. As part of the health curriculum, teachers shall stress the importance of preventive measures.

The Governing Board recognizes that responsibility for the treatment of head lice rests with the home. When lice or untreated nits are found, the student shall be sent home as soon as possible with proper parental notification.

Staff shall make every effort to maintain the privacy of students identified as having head lice and excluded for treatment.

Legal reference:

Education Code

48210-48214 Persons excluded

49451 Physical examinations: parent's refusal to consent

Adopted 4/11/95

STUDENTS

Tuberculosis Testing

The Governing Board recognizes that tuberculosis poses a Public Health threat. Treatment of active cases of this disease is the most effective means of controlling its spread.

Pursuant to Health and Safety Code 121485, districts may require tuberculosis testing of students prior to admission only in conjunction with the County Health Officer's determination that such testing is warranted. This would include children deemed to be at high risk for developing M.tuberculosis.

Children at high risk include:

1. Those in close contact with an infectious TB case (sharing accommodations as well as playing or working in the same enclosed area) and those with chest x-ray abnormalities or clinical evidence suggestive of TB.
2. Those who are from or have parents from high-prevalence countries (e.g., Asia, Africa, and Latin America) or who have travelled to these countries for a period of time of at least four weeks.
3. Those frequently exposed to adults who are HIV infected, homeless, users of street drugs, medically indigent city dwellers, residents of nursing homes, incarcerated or institutionalized persons, and migrant farm workers.
4. Individuals with medical conditions known to substantially increase the risk of TB (immunodeficiency from HIV and other causes, diabetes, Hodgkins disease, lymphoma, chronic renal failure, malnutrition, and immunosuppression due to drugs).

The Superintendent or designee may require a tuberculosis skin test when qualified medical personnel reasonably suspect that a student has active tuberculosis. If there is an outbreak of tuberculosis at any school, the Superintendent or designee may require all students at the school to undergo tuberculosis skin tests. The tuberculosis skin test must be the Mantoux tuberculin skin test must be read by trained personnel. (Department of Health Services, State of California)

Education Code 48211 provides that the Board may exclude children suffering from contagious or infectious diseases. Health and Safety Code 121485-121505 provides for the exclusion of children reasonably suspected of having active tuberculosis.

A child may be exempt from the tuberculosis examination if it is contrary to his/her beliefs. The child's parent/guardian or custodian must provide the school with an affidavit stating that the required examination is contrary to the child's beliefs. If there is probable cause to believe that such a child has active TB, he/she may be excluded from school until the Board is satisfied that he/she is not so afflicted. (Health & Safety Code 121505)

Students known to have had a positive tuberculosis skin test shall be excluded from school until they provide evidence of a follow-up x-ray and appropriate medical care or are no longer suspected of having active tuberculosis.

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.3 - Health Examinations)

All district staff shall receive information on how tuberculosis is spread and how it can be prevented and treated.

Resolution

(cf. 4119.43 - Universal Precautions

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Infectious Disease Prevention)

49450 Rules to insure proper care and secrecy

49451 Parent's refusal to consent

HEALTH AND SAFETY CODE

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

120230 Exclusion of persons from school

121475-121520 Tuberculosis tests for pupils

First Reading February 10, 1998

Adopted February 24, 1998

ACCIDENTS

It is the policy of the Board of Trustees of the Dixie School District that all accidents involving pupils of the school which occur on the school grounds or to and from school shall be reported to the Principal.

The Superintendent shall develop regulations which provide for the reporting of accidents and procedures to be followed when accident or sudden illness occurs.

PUPIL INSURANCE

The Board of Trustees of the Dixie School District shall provide opportunity for the parents of the District to enroll children, who attend the schools in the District, under a group insurance plan which provides for the care and treatment of injury caused by accident.

Ed. Code: 49472

Adopted 1963
Reviewed 11/28/79

QUESTIONING OF PUPILS BY LEGITIMATE LAW ENFORCEMENT OFFICERS**QUESTIONING**

Law enforcement officers have the right to interview students on school premises, as suspects or witnesses. When such an interview is requested, the principal or designee shall ascertain the officer's identity, official capacity, and the authority under which he/she acts. If the officer needs to interview the student immediately, the principal or designee shall accommodate the questioning in a way that causes the least possible disruption to the school process, gives the student appropriate privacy, and models exemplary cooperation with community law enforcement authorities.

Except in cases of child abuse or neglect, the principal or designee shall notify the student's parent/guardian when a law enforcement officer requests an interview on school premises.

At the law officer's discretion and with the student's approval, the principal or designee may be present during the interview. The law officer should advise the student that he/she had the right to remain silent, but that he/she is encouraged to cooperate with law enforcement agencies.

If in the course of the interview the law officer finds it necessary to remove the student from school so as to better aid the investigation, the principal or designee shall first ascertain the reason for such action. Upon releasing the student, the principal or designee shall immediately inform the student's parent/guardian.

APPREHENSION

When a site administrator releases a student into the custody of a law enforcement officer, he/she shall immediately notify the parent/guardian or responsible relative of the student's release and the place to which the student is reportedly taken, except in cases of suspected child abuse.

Whenever a student is suspected of being a victim of child abuse and is being removed from the school premises, the Superintendent or designee must give the telephone number and address of the student's parent/guardian to the law enforcement officer. The officer then has the responsibility of immediately notifying the parent/guardian.

Personnel responsible for releasing a student from school custody shall exercise extreme diligence to prevent such release to any unauthorized or unidentified person.

Legal Reference:EDUCATION CODE

44807 Duty concerning conduct of pupils
48264 Arrest of truants
48265 Delivery of truant
48902 Notice to Law Authorities
48906 Release of minor pupil to peace officers
notice to parent, guardian or relative
48909 Narcotics and other hallucinogenic drugs
(re arrest)

PENAL CODE

830-832.8 re peace officers
833-851.85 re arrests
1328 Service of subpoena

CODE OF REGULATIONS, TITLE 5

303 Duty to remain at school
People v. Burton (1971) 6 Cal. 3d 375
In re Donaldson 269 Cal. App. 2d 509
Baines v. Brady 122 Cal. App. 2d Supp.
957.960
In the matter of Paul P., 85 Daily Journal
D.A.R. 2594
32 Ops. Cal. Atty. Gen. 46
34 Ops. Cal. Atty. Gen. 93
54 Ops. Cal. Atty. Gen. 96

Response to Immigration Enforcement

The Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law.
(Education Code 234.7)

(cf. 5111 - Admission)
(cf. 5111.1 - District Residency)

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of his/her immigration status. (Education Code 200, 220, 234.1)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.6 - Parental Notifications)

Consistent with requirements of the California Office of the Attorney General, the Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to district records, school sites, or students for the purpose of immigration enforcement.

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

Teachers, school administrators, and other school staff shall receive training regarding immigration issues, including information on responding to a request from an immigration officer to visit a school site or to have access to a student.

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

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

Legal Reference:

EDUCATION CODE

200 Educational equity

220 Prohibition of discrimination

234.1 Safe Place to Learn Act

234.7 Student protections relating to immigration and citizenship status

48204.4 Evidence of residency for school enrollment

48980 Parental notifications

48985 Notices to parents in language other than English

GOVERNMENT CODE

8310.3 California Religious Freedom Act

PENAL CODE

422.55 Definition of hate crime

627.1-627.6 Access to school premises, outsiders

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

COURT DECISIONS

Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

WEB SITES

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

California Office of the Attorney General: <http://oag.ca.gov>

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

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

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

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System:

<http://locator.ice.gov/odls>

First Reading and Adoption : June 26, 2018

STUDENT PARTICIPATION IN CIVIC ISSUES AND PUBLIC HEARINGS

As more teachers use project-based instructional methods and try to make lessons relevant to the student's real world, it is likely that occasions will arise when the interests generated by classroom projects will coincide with public controversies. Students and their teachers may wish to participate in civic dialogue through letter writing, testifying at public hearings or other avenues.

The Dixie School District endorses the State history and social science framework which states "Among the social and political participation skills that students should develop are ability to identify issues that require social action; commitment to accept social responsibilities associated with citizenship; willingness to work to influence those in political power to preserve and extend justice, freedom, equity and human rights; willingness to assume leadership roles in clarifying goals and mobilizing groups for political action; and willingness to accept the consequences of one's own actions."

There are three parameters which should guide teachers in considering activities of this nature. They are:

1. Because of the power inherent in the teaching role, teachers should not be an advocate for a particular position in the context of a classroom assignment.
2. Participation in public controversies must be voluntary. Because of the sometimes coercive nature of peer pressure and the power inherent in the teaching role, care must be taken that neither of these factors cause a student to feel pressured to participate in public meetings.
3. Good citizenship skills requires becoming informed of the facts before students advocate a position. The importance of sound research and fact-finding as a prelude to decision making should be emphasized. Information gathering, analysis, and reasoning should be explicit strands in Dixie's curriculum.

Nothing in this policy should be interpreted to be an abridgment of the first amendment right to freedom of speech.

SEXUAL AND GENDER-BASED HARASSMENT (STUDENTS)

Purpose

Sexual or gender-based harassment is unlawful and will not be tolerated. It is the policy of the Governing Board of the Dixie School District to provide an educational environment free of unlawful sexual and gender-based harassment.

It is a violation of this policy for an employee, agent, or student or any party with which the Dixie School District has a cooperative agreement to engage in sexual or gender-based harassment.

This policy is intended to supplement, not replace, any applicable state or federal laws and regulations, and to secure, at the earliest level possible, an appropriate resolution to complaints of unlawful sexual or gender-based harassment.

Definition of Sexual and Gender-based Harassment

For the purposes of this policy, sexual or gender-based harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, and acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex although not necessarily sexual in nature, made by someone from or in the work or educational setting under any of the conditions listed below:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

For the purpose of this policy gender-based harassment includes harassment based on a person's sex, gender identity, gender expression or nonconformity with gender stereotypes.

Sexual or gender-based harassment may occur as a pattern of degrading sexual and gender-based speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and threats or sexual demands.

Examples of conduct which may constitute a violation of this policy include, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gesturing, display of sexually suggestive objects or pictures, or cartoons, whether conducted in person or through an electronic means.
- (2) Among peers, continuing to express sexual interest after being informed that the interest is unwelcome.
- (3) Within the educational environment, implying or actually withholding satisfactory evaluations or suggesting that promotion or favorable evaluations will be denied as a condition of receiving sexual favors.
- (4) Within the educational environment, engaging in sexual or gender-based harassment behavior to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.
- (5) Slurs, threats, derogatory comments, unwelcome jokes, or degrading descriptions related to or because of actual or perceived gender, gender identity, gender expression, or sexual orientation.
- (6) Harassment because of actual or perceived non-traditional choice of extracurricular activities, apparel, personal grooming, or mannerisms.

Any expression by an adult of sexual interest in a student, regardless of stated or perceived mutuality, is inappropriate and shall be subject to corrective and disciplinary action under Board policies and regulations and applicable law.

Restorative, Corrective, Disciplinary Actions

When unlawful sexual or gender-based harassment is found to have occurred, the District will take appropriate restorative, corrective and/or disciplinary action(s), which may include, but are not limited to, counseling for the complainant, other persons impacted by the harassment, and the respondent; verbal or written warnings; limiting respondent's contact with the complainant; school-wide actions, such as education and training, to stop the harassing conduct and prevent a recurrence; and suspension, expulsion or dismissal in accordance with applicable policies, laws and/or collective bargaining agreements.

Administrative Regulations

The Superintendent shall adopt and from time-to-time may revise regulations to implement this policy and provide for investigation of complaints and enforcement of this policy. The regulations may be obtained in the District Office, School Office and online at <http://www.dixieschooldistrict.org>.

Training and Curriculum

To implement this policy the District will provide appropriate training for staff and students. "Supervisory" employees, as defined by Government Code section 12950.1, will be trained, as required by law, at least every two (2) years.

Notification

This policy will be published in site handbooks and/or the District Personnel Handbook and posted in a prominent location in the District Office and each School Office and distributed to employees as required by law. Ed. Code §231.5(d)

Special Assistance

Anyone with questions related to this Board Policy may contact the Superintendent, or designee.

Filing Complaints with State or Federal Agencies

Aggrieved parties also may file complaints with appropriate state and federal agencies including:

Office for Civil Rights
90 7th Street, Suite 4-100
San Francisco, CA 94103

Civil law remedies including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available as specified in Education Code section 262.3.

Legal References:

Title VII of the Civil Rights Act
42 USC Section 2000-e-2(a)(1)
Fair Employment and Housing act
Government Code section 12940
Education Code sections 212.5, 231.5
Government Code section 12950.1

First Reading: November 10, 2015

Second Reading and Adoption: December 8, 2015

(Replaces Policy 4301 adopted 2/12/13)

BICYCLE HELMETS

This policy was developed in recognition of the following:

- * Approximately 1,300 people die each year in the United States from bicycle accidents.
- * Nearly two thirds of the people who die are children under 15.
- * It is estimated that the use of helmets could prevent more than half of the annual fatalities.
- * Students can learn lifelong habits when they are young.

Therefore, in the interest of safeguarding the District's students, it shall be the policy of the Dixie Governing Board that wearing bicycle helmets is mandatory for elementary students who ride their bicycles to school.

At the middle school we plan to have:

- 1) A campaign promoting bicycle safety. This campaign will consist of:
 - a) bulletin announcements
 - b) a bike safety assembly provided by the Sheriff's Office
 - c) positive reinforcement for students wearing helmets and exhibiting positive riding habits.
- 2) Communication with the parents through the Meanderings.
- 3) Notifying parents of the availability of low cost helmets through the same program the elementary schools are using.

In the spring of this year, this campaign will be evaluated to determine if more helmets are being used and if there is a need for a formal helmet policy.

Provisions will be made at each school to assist families on which this policy might create a financial hardship.

STUDENT SAFETY

The safety of students is a very high priority of the Dixie School District. It is expected that every attempt will be made to protect a child from immediate physical danger. However, when an immediate, physical danger does not exist, the District does not support heroic acts that could endanger personnel and/or subject the personnel or District to litigation.

In order to maintain a school environment that is as free of risk as possible, the principal or designee shall promptly expel from school premises any individual he/she thinks might threaten the health and/or safety of students.

In cases where criminal activity is alleged, the principal or designee will immediately inform the appropriate law enforcement agency and the superintendent.

The superintendent will report to the Governing Board regarding incidents that have required law enforcement involvement.

The principal, after consultation with the superintendent, will determine when notification of all parents is appropriate.

HEALTH STANDARDS FOR SCHOOL ATTENDANCE

Placement decisions for students will be based upon individual need, physical condition of the child, and the expected type of interaction with others. Decisions will be made on an individual basis using a team approach and based upon current Center for Disease Control (CDC) recommendations. The team will consist of the student's physician, public health professionals, the student's parents, the Superintendent (or designee) and the District's legal representative. The final decision regarding student placement rests with the Governing Board upon recommendation from the Superintendent.

As required by Education Code 49403, the Dixie District will cooperate with the local health officer in measures necessary for the prevention and control of communicable diseases. As authorized by Ed. Code 48211-48213 and Health and Safety Code section 3118, the Board may exclude a student suffering from a suspected or known contagious or infectious disease which makes attendance hazardous to the welfare of other students until the condition is resolved. At the discretion of the Superintendent or designee, a written statement from a licensed medical practitioner verifying that the student is under treatment and/or is not contagious to others shall be required.

Students with noticeable unhygienic conditions may be excluded from school attendance if they present a possible health hazard to themselves or others.

If students are suffering from a suspected or known contagious or infectious disease which makes their school attendance hazardous to others, they shall be removed from the classroom immediately by Principal or designee. As soon as is reasonably possible after the exclusion, the Superintendent shall recommend voluntary exclusion from school to their parents or guardians. Should such voluntary exclusion not occur, notification of exclusion from school attendance for health reasons shall be sent to parents or guardians in accordance with Education Code section 48213. Meetings with parents as provided in Education Code section 48213 and all other procedures as may be required by law shall be undertaken by the Superintendent or designee. Pursuant to Education Code section 48214 any decisions to exclude students from school shall be reviewed by the Superintendent or designee on a semester by semester basis.

Students who are exempt from immunization or who are inadequately immunized against certain diseases may be excluded from school attendance during an outbreak of the respective communicable diseases.

Legal Reference: Education Code 48211-48214; 49403
Health and Safety Code 3118

Adopted 12/9/87

RESPONSE TO REQUEST FOR STUDENT RECOMMENDATIONS FROM OTHER SCHOOLS OR DISTRICTS

It shall be the policy of the Dixie School District to be consistent in the release of information regarding students to other schools or districts.

This will be accomplished by reporting such information on standardized district forms.

There is a need that all information of this type be provided in an equitable manner and that staff not be placed in the position of making value judgements regarding a students potential for success in an educational program about which they do not have direct knowledge.

Staff will utilize the Dixie District forms as identified in the administrative regulations on this topic to respond to recommendations requested by other schools and districts both public and private.

In addition to the information provided on these forms student report cards and copies of pertinent materials from cumulative folders will be provided upon request by the school and release by the parents.

POLICY 5204

5000	STUDENTS
5200	STUDENT WELFARE
5204	INTERNET SAFETY

POLICY ON INTERNET SAFETY

It is the policy of the Dixie School District to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act.

Internet access is to be used as an educational and/or work-related resource and such access shall be made available subject to such rules and regulations as may be established.

Legal Reference: (Public Law 106-554)
47 USC 254(h)

Approved as to form:

First Reading: July 13, 2010
Second Reading and Adoption: August 24, 2010

DIXIE SCHOOL DISTRICT
ADMINISTRATIVE REGULATIONS AND PROCEDURES

INTERNET SAFETY
Board Policy 5204

The following regulations and procedures are intended to implement the legal requirements of the Dixie School District under The Children's Internet Protection Act, (CIPA) (Public Law 106-554). Such regulations and procedures shall be applied to all students having computers with Internet access to certify on or before October 28, 2001, that they have in place certain Internet safety policies and technology to block or filter certain material from being accessed through the Internet. **The Protecting Children in the 21st Century Act, enacted October 10, 2008, added an additional Internet Safety Policy requirement covering the education of minors about appropriate online behavior.**

Definitions

1. Access to the Internet—A computer shall be considered to have access to the Internet if such computer is equipped with a modem or is connected to a computer network which has access to the Internet.
2. Minor shall mean an individual who has not attained the age of 19.
3. Obscene shall have the meaning given such term in section 1460 of title 18, United States Code.
4. Child pornography shall have the meaning given such term in section 2256 of title 18, United States Code.
5. Harmful to minors shall mean any picture, image, graphic image file, or other visual depiction that:
 - a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - b. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

6. Hacking shall mean attempting to gain unauthorized access to computer and network systems connected to the Internet.
7. Technology protection measure shall refer to a proxy server managed by Marin County Office of Education that blocks and/or filters Internet access.

Access to Internet by Minors

Minors accessing Internet services provided by the Dixie School District when working as an employee or volunteer of the Dixie School District; when attending trainings, meetings, conferences, or other events sponsored at a facility owned or leased by the Dixie School District or at a facility of which the Dixie School District has otherwise been granted primary custody; or when accessing Dixie School District Internet services with remote access connections shall be subject to the following rules and regulations:

1. Minors shall not access material that is obscene, child pornography, harmful to minors, or otherwise inappropriate for educational or work-related uses.
2. Minors shall not use Dixie School District technology or Internet resources to engage in hacking or attempts to otherwise compromise any computer or network system's security.
3. Minors shall not engage in any illegal activities on the Internet.
4. Minors should only use electronic mail, and other forms of direct electronic communications for purposes related to education within the context of a school-related assignment activity or for purposes related to work, including volunteer, at the Dixie School District.
5. Minors shall not disclose personal identification information on the Internet.
6. The online activities of minors shall be monitored.
7. **Minors will be educated, supervised and monitored on appropriate online behavior.**
8. **Parents/Guardians of minors may choose to opt their child out of internet access at school by signing and returning the last page of this policy.**

Access to Internet by Adults

Adults accessing Internet services provided by the Dixie School District when working as an employee or volunteer of the Dixie School District; when attending trainings, meetings, conferences, or other events sponsored at a facility owned or leased by the Dixie School District or at a facility of which the Dixie School District has otherwise been granted primary custody; or when accessing the Dixie School District Internet services with remote access connections shall be subject to the following rules and regulations:

1. Adults shall not access material that is obscene, child pornography, or otherwise inappropriate for training or work-related uses.
2. Adults shall not use the Dixie School District technology resources to engage in unauthorized hacking or attempts to otherwise compromise any computer or network system's security.
3. Adults shall not engage in illegal activities on the Internet.

Technology Protection Measure

The Dixie School District shall use a technology protection measure that blocks and/or filters Internet access to prevent access to Internet sites that are not in accordance with the policies of the Dixie School District.

1. The technology protection measure that blocks and/or filters Internet access may be disabled by an authorized staff member for bona fide research purposes with permission of the immediate supervisor of the staff member requesting said disabling or with the permission of the administrator of the Dixie School District.

Policy Violations

Any violation of this policy may result in the loss of access to the Internet by the Dixie School District. Additional disciplinary action may be determined in accordance with existing procedures and practices, both administrative and as stipulated in the Dixie School District board policy, and including applicable law enforcement agencies when necessary.

Policy Challenge Procedure

An individual who has been granted access to the Internet by the Dixie School District and desires to access an Internet site that is not compliant with this policy may challenge the enforcement of the policy according to the following provisions:

1. Internet site review requests should be directed to the Dixie School District's Director of Business and Information Services in writing for consideration.
2. The Dixie School District will review the site within seven working days of submission of the request and, if deemed appropriate for educational or work-related purposes, may unblock the site.
3. The Dixie School District shall regulate enforcement of the policy, including disciplinary actions.

Request to Opt Student Out of School Internet Access

As the parent or legal guardian of _____, a minor, I wish to opt _____ out of accessing the Internet at school. I understand that in doing so, I may prevent my child from accessing the Internet-based instructional materials and activities that will be available to his classmates. Dixie School District Schools will provide alternative activities for children whose parents do not wish them to access the Internet; however, we cannot ensure that these activities will provide the same richness and depth of experience that access to the Internet can provide.

Signature

Name (please print)

Date

Please return this form to your child's school.

References: Public Law 106-554
47 USC 254(h)

Dixie School District
Board Policy

SERIES 6000

BP 6020

INSTRUCTION

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in district and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home.

(cf. 0420 – School Plans/Site Councils)
(cf. 0420.1 – School-Based Program Coordination)
(cf. 0420.5 – School-Based Decision Making)
(cf. 0520.1 – High Priority Schools Grant Program)
(cf. 0520.2 – Title I Program Improvement Schools)
(cf. 1220 – Citizen Advisory Committees)
(cf. 1230 – School-Connected Organizations)
(cf. 1240 – Volunteer Assistance)
(cf. 1250 – Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020 – Parent Rights and Responsibilities)
(cf. 5145.6 – Parental Notifications)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

(cf. 0500 – Accountability)

Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for all schools including schools that receive Title I funding. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program. (Education Code 11503)

(cf. 6171 – Title I Programs)

The Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in all schools including Title I programs. Those strategies shall establish expectations for parent involvement and describe how the district will carry out each activity listed in 20 USC 6318. (20 USC 6318)

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The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent involvement activities. (20 USC 6318)

The Superintendent or designee shall ensure that each school receiving Title I funds develop a school-level parent involvement policy in accordance with 20 USC 6318.

The Superintendent or designee shall develop and implement strategies applicable to all schools that receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Legal Reference:

EDUCATION CODE

11500-11506 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities

64001 Single plan for student achievement

LABOR CODE

230.8 Time off to visit child's school

UNITED STATES CODE, TITLE 20

6311 Parental notice of teacher qualifications and student achievement

6312 Local educational agency plan

6314 School wide programs

6316 School improvement

6318 Parent involvement

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Management Resources:

CSBA PUBLICATIONS

Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006

STATE BOARD OF EDUCATION POLICIES

89-01 Parent Involvement in the Education of Their Children, rev. 1994

U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE

Parental Involvement: Title I, Part A, April 23, 2004

WEB SITES

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

California Department of Education, Family, School, Community Partnerships:

<http://qqq.cde.ca.gov/ls/pf>

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California Parent Center: <http://parent.sdsu.edu>
California State PTA: <http://www.capta.org>
National Coalition for Parent Involvement in Education: <http://www.ncpie.org>
National PTA: <http://www.pta.org>
No Child Left Behind: <http://www.ed.gov/nclb>
Parent Information and Resource Centers: <http://www.pirc-info.net>
Parents as Teachers National Center: <http://www.parentsasteachers.org>
U.S. Department of Education: <http://www.ed.gov>

First Reading: July 14, 2009

Second Reading and Adoption: August 25, 2009

SCHOOL CALENDAR

The Board of Trustees of the Dixie School District shall annually adopt a school Calendar which provides for at least the minimum number of classroom instruction days prescribed by law.

The school Calendar should be developed to meet the educational needs of the students, and should be congruent, when possible, with the secondary school student calendar in the attendance area.

Adopted 5/58
Revised 2/7/79
Amended 1/26/83

SCHOOL DAY - LENGTH

The length of the school day shall be determined annually by the School Board. The Board shall request that the Superintendent make his recommendation before establishing the length of the school day.

The school day, as determined by the Board, shall not be less than the minimum required by the Education Code.

Legal Reference: Ed. Code 46100 Length of School Day

Adopted 1954
Amended 1955
Amended 1958
Amended 8/26/59
Amended 4/26/61
Amended 2/28/79
Amended 3/23/83

RELEASED TIME

In order to minimize interruptions in the classroom, to provide maximum continuity of instruction, and to limit released time to emergencies or to purposes which cannot be accomplished outside the regular classroom schedule, the following procedures shall be followed in granting released time:

1. Released time shall be granted upon advance request in writing by the parent (or duly authorized person). Students may receive an excused absence to attend an observance of a holiday or religious ceremony, so long as they attend school for at least a minimum day. The school principal is authorized to grant approval when the individual pupil is released directly to the parent (or authorized person) as provided by State law.
2. Approval for released time of a pupil on a regularly scheduled basis shall be obtained in advance from the Superintendent.
3. Approval for released time of groups of pupils shall be obtained in advance from the Superintendent.
4. In circumstances involving justifiable personal reasons, when the pupil's absence has been requested in writing in advance, the Superintendent is authorized to grant released time but shall report all such instances to the Board of Trustees. When the request is not made in advance, a principal may grant such released time but shall report all instances to the Superintendent.

Legal Reference: Ed. Code 46014 Regulations Regarding Absences for Religious Purposes
48205 Absence for Justifiable Reasons

Adopted 11/8/61
Revised 1/15/63
Amended 3/14/79
Amended 3/23/83

SAFETY

It shall be the policy of the Board of Trustees to provide a safe and healthful environment for all employees, the public, and the students of the District.

The District shall promote a safety program at all levels including:

- a) District Administration level
(including Maintenance, Transportation and Operations);
- b) School Administration level;
- c) Classroom level.

Specific objectives of the safety program shall be as follows:

- 1) Meet the requirements of CAL-OSHA and improve risk management procedures;
- 2) Integrate with requirements and guidelines of the county-wide Self-Insurance Program for Employees*;
- 3) Promote safety awareness;
- 4) Reduce risk and potential accidents.

It shall be the responsibility of the Superintendent, or his designee, to oversee the safety program and report to the Board at least every two years.

The Superintendent, or his designee, shall develop Administrative Regulations to support and implement this policy.

*S.I.P.E. Self Insurance Program for Employees (Workers' Compensation)

PROCEDURES TO NOTIFY TEACHERS OF DANGEROUS STUDENTS

Each September, individual teachers at a school site are provided with a list of students enrolled in the teacher's class who have one or more suspensions of a serious or violent nature. This list includes student suspensions for the current year plus the previous three years. The following procedure is used in notifying teachers of the suspension history:

1. Suspension lists are provided to the teacher using a routing sheet. The teacher signs the routing sheet indicating review of the data.
2. Teachers are advised about the confidential nature of the data, per Education Code Section 49079(e).
3. All routing sheets and suspension reports are to be returned and filed in the school office. Teachers will be notified of suspensions as they occur during the school year. The same process will be used as at the beginning of the year.

When students are administratively transferred from one school to another for disciplinary reasons, teachers (to whom the student is assigned) at the new school are notified by the school administration and provided with written information about reasons for the student's transfer and a copy of the student's behavior contract. Copies of the written notice are maintained in the school office.

When the district receives information from the juvenile court system that a student has been convicted of a serious or violent crime requiring teacher notification, the principal and the teachers are provided with written notice from the district. Copies of this notice are maintained in the school office and the district office.

Legal Reference:

Education Code Section 49079(e)

First reading: 8/11/98

Adopted: 8/25/98

THE UNITED STATES FLAG - REQUIREMENTS RE THE PLEDGE, DISPLAY, INSTRUCTION & RESPECT

As required by Section 21, Chapter 3, Title 5 of the State of California Administrative Code, the following requirements and procedures are outlined for all employees of the School District regarding care, display and respect for the United States Flag.

There shall be a daily pledge of allegiance to the Flag of the United States in each public school.

Teachers and administrative personnel of the Dixie School District shall provide for the giving of appropriate instruction throughout the school term and holding of appropriate exercises or other activities in each school, which shall emphasize to the pupils of the school the meaning of the Flag of the United States and the purpose, ideals, and freedoms for which it stands.

Teachers are also encouraged to teach their classes the National Anthem and other similar songs which show respect for our Country and have the class join in the singing of such songs throughout the school year.

Each classroom in the Dixie School District shall have a small United States Flag on display at all times and there shall be a U.S. Flag and the State of California Flag flown on the staff in front of each school during all school sessions and on school holidays when personnel are at the schools, except in cases of inclement weather. Details concerning display of the Flag will be covered in an appropriate administrative regulation.

INDEPENDENT STUDY PROGRAMS1.0 INDEPENDENT STUDY

- 1.1 The Governing Board recognizes its responsibility for the education of all students in the school system. The Board authorizes independent study as an alternative means of meeting graduation requirements through an individual educational program for students whose needs may best be met outside of the regular classroom setting.
- 1.2 The board believes that independent study is a key component of efforts to retain students who are at risk of dropping out of school and to retrieve students who have already dropped out.
- 1.3 Independent Study is an alternative to a regular program of instruction that is consistent with the District's course of study. It is not an alternative curriculum. It is an instructional strategy.
- 1.4 The district shall provide appropriate existing services and resources to enable students to complete their independent study successfully and shall ensure the same access to all existing services and resources in the school in which the student is enrolled as is available to all other students in the school.
- 1.5 A student, when it appears to be in his/her best interest, may be assigned to a program of Independent Study. It is the expectation of the Board of Education, however, that the use of the Independent Study Program is for special circumstances and that student will normally be enrolled in the regular school program. No student shall be required to participate in independent study.
- 1.6. No individual with exceptional needs, as defined in Education Code 56026, may participate in independent study unless his/her individualized education program (IEP) specifically provides for that participation.
- 1.7 No temporarily disabled pupil may receive individual instruction through independent study.
- 1.8 Pupils requesting independent study and their parents/guardians should recognize that independent study at the elementary level realistically must emphasize a commitment on the part of the pupil's parents/guardians. At the secondary level, the major commitment must be made by the pupil, assisted or supported as necessary by parents and others who may assist directly with instruction.
- 1.9 Written Agreement and Contracts

1.0 INDEPENDENT STUDY (Cont'd.)

- 1.9.1 In order to ensure that independent study is successful, the Superintendent or designee shall determine that the prospective independent study student is committed to the district's requirements for independent study. Independent study entails a commitment by both the parent/guardian and the student. As the student gets older, he/she assumes a greater portion of the responsibility involved.
- 1.9.2 The Superintendent or designee shall ensure that each participating student has executed a written independent study contract with the district as prescribed by law.
- 1.9.3 For all students in independent study, the maximum length of time which may elapse between the time the assignment is made and the date by which the pupil must complete the assigned work shall be as follows:
 - a. For students in Kindergarten and grades one through three, one week.
 - b. For students in grades four through eight, two weeks.
 - c. When special or extenuating circumstances justify a longer time, a period not to exceed four weeks may be approved by the Superintendent or designee pursuant to a written request, with justification, or individual pupils.
- 1.9.4 When any student misses two consecutive independent study assignments, the Superintendent or designee shall conduct an evaluation to determine whether it is in the student's best interest to remain in independent study. A written record of the findings of any evaluation conducted pursuant to this policy shall be maintained in the pupil's permanent record.
- 1.10 Records will be kept as prescribed by law and by District regulations and procedures.
- 1.11 Program Evaluation
 - 1.11.1 There shall be an annual evaluation of the Independent Study Program.

1.0 INDEPENDENT STUDY (Cont'd.)

- 1.11.2 The Superintendent or designee shall annually report to the Board the number of students in independent study, the ADA generated, and the degree of success which is being encountered.

Education Code:

Sections
44865
46300-46300.4
48340
51225
51225.3
51745-51749.5
52000(e)
56026

California Administrative Code, Title 5

Sections

11700
11702
11703

GRADUATION REQUIREMENTSRegular Year

Dixie School District's graduation requirements incorporate competency test results, as well as classroom work and behavior. The following requirements must be met by students for graduation from the eighth grade:

1. Pass all District competency tests
2. Successfully complete the term paper project
3. Maintain acceptable behavior
4. Earn a 1.7 GPA average during the eighth grade year

Summer Session

Students who do not graduate in June, due to not passing all of the Minimum competencies in Math, Reading, English/Writing and Social Studies, but who have met the rest of the District's graduation requirements, may be granted a diploma at the conclusion of the summer school if they have at that time passed all of the District's competencies.

Ed. Code 51215 - 51217

Also see: Policy #6135
Policy #6137

Adopted 4/14/82
Amended 11/23/82
Amended 7/19/94

EXTRACURRICULAR AND COCURRICULAR ACTIVITIES - 7TH AND 8TH GRADES

The Governing Board recognizes that extracurricular and cocurricular activities enrich the educational and social development and experiences of students. The district shall encourage and support student participation in extra-/cocurricular activities without compromising the integrity and purpose of the curricular educational program.

Students shall not be charged any fees in order to participate in extra-/cocurricular activities.

Extracurricular activities include, but are not limited to, those programs that have all of the following characteristics:

- a) The program is supervised or financed by the school district.
- b) Students participating in the program represent the school district.
- c) Students exercise some degree of freedom in either the selection, planning, or control of the program.
- d) The program includes both preparation for performance and performance before an audience or spectators.

Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit, and do not take place during the instructional day.

Cocurricular activities are programs that may be associated with the curriculum in a regular classroom. These activities may also be outside of the classroom and not for credit, and may not include elected or appointed offices.

Academic Eligibility Requirements

In order to encourage and promote excellence, all students participating in extra-/cocurricular activities shall demonstrate satisfactory minimum progress in meeting the requirements of graduation by undertaking the prescribed course of study and meeting the standards of proficiency established by the district.

A program that has as its primary goal the improvement of academic or educational achievements of students is not subject to these eligibility requirements.

The Superintendent or designee shall determine in advance when extra-/cocurricular activities or programs are primarily for the student's academic or educational achievement and therefore not subject to the eligibility requirements of this policy.

In order to be eligible for participation in extracurricular or cocurricular activities, a student in grades 7 and 8 shall have met the following criteria:

1. Student must have at least a C average (2.0 on a 4.0 scale) for the prior grading period, with no F grades.
2. Student must have acceptable school behavior.

Annual Review

The Board shall annually review this policy and implementing regulations.

Legal Reference: Ed. Code 35160.5

Adopted 2/11/87

MINIMUM COMPETENCIES FOR SPECIAL EDUCATION STUDENTS

The Education Code (E.D., Section 51225) requires that governing boards of school districts adopt differential standards and assessment procedures for each student enrolled in a special education program who has diagnosed learning handicaps or disabilities such that the Individualized Education Program (IEP) Team for such student determines that he or she has not demonstrated evidence of ability to attain the district's regular proficiency standards with appropriate educational services and support.

The Education Code further requires that if a student's IEP team determines that he or she has not demonstrated evidence of the ability to attain the district's regular proficiency standards with appropriate educational services and support, the IEP team shall develop differential proficiency standards appropriate to the needs and potential of the student.

The Education Code further provides that any such differential standards shall be included in the individualized education program developed for each student and that the determination and development of differential proficiency standards shall be part of the process of developing, reviewing, and revising the student's individualized education program.

It shall be the policy of this district that any student who is enrolled in a special education program shall be considered for differential proficiency standards and assessment procedures. This includes:

1. Communicatively Handicapped Students
2. Learning Handicapped Students
3. Physically Handicapped Students
4. Severely Handicapped Students

The assessment of proficiency for students enrolled in special education programs must be developed by each IEP team in a manner appropriate to the needs and potential of the student.

It is the desire of Dixie School District that every special education student be given the opportunity to master the adopted minimum competency standards, as appropriate.

To the extent that is appropriate to the needs and potential of each student, the IEP team shall utilize the district's regular program of instruction. In addition, other district requirements for graduation as developed by the district, such as completion of a term paper, maintenance of grades and behavior, will be expected for each student unless specifically addressed in the student's Individual Education Plan.

A student transferred from the Resource Specialist Program will ultimately be expected to achieve mastery of the district's minimum competencies for graduation.

It will be the responsibility of the Individual Education Program Team to develop a transition plan (which may include alternate modes of assessment) to help the child achieve this goal upon completion of the eighth grade. This plan will include, as appropriate, use of the local school's regular education resources to provide assistance to the pupil in achieving mastery.

Adopted 2/25/81
Revised 5/26/81
Amended 12/9/81
Amended 10/13/82

MINIMUM COMPETENCIES FOR LIMITED ENGLISH PROFICIENCY STUDENTS

It shall be the policy of this District that any student who is enrolled in a Limited English Proficiency program shall be considered for differential proficiency standards and assessment procedures.

The assessment of proficiency for students in LEP programs must be developed by each Individual Learning Program (ILP) team in a manner appropriate to the needs and potential of the student. The school ILP team will consist of a designated teacher, LEP tutor, school administrator (or counselor), and parent.

It is the desire of the Dixie School District that every LEP student be given the opportunity to master the adopted minimum competency standards as appropriate. To the extent that it is appropriate to the needs and potential of each student, the ILP team shall utilize the District's regular proficiency standards and regular assessment procedures so that such students may be prepared for integration in the District's regular program of instruction. In addition, other District requirements for graduation as developed by the District, such as completion of a term paper, maintenance of grades and behavior, will be expected for each student unless specifically addressed in the student's Individual Learning Program.

A student transferred from the LEP program to the regular program as determined by the reclassification criteria, will ultimately be expected to achieve mastery of the District's minimum competencies for graduation.

It will be the responsibility of the IEP team to develop a transition plan (which may include alternate modes of assessment) to help the child achieve this goal upon completion of the 8th grade. The plan will include, as appropriate, use of the local school's regular education resources to provide assistance to the pupil in achieving mastery.

Ed. Code 51215, 51216

Adopted 4/14/82
Amended 10/13/82

RECOGNITION OF RELIGIOUS BELIEFS AND SECULARIZED CUSTOMS AND PRACTICESI. General Statement

The Dixie School District subscribes to the basic American tradition of separation of church and state. Such a policy is the logical outcome of the pluralistic nature of the religious beliefs of Americans from colonial days to the present. The proper place for religious observance is in the home and place of worship.

This policy should not be construed, however, to mean that the religious beliefs and customs of the various religious institutions of our country should be ignored. It is both desirable and proper that our students learn about the religious beliefs of all peoples if they are to be prepared for the world in which they are to become responsible citizens. The nature of sectarian beliefs, therefore, is an appropriate part of the curriculum at all grade levels, but the public schools' purpose is to encourage recognition and respect and not to instill belief.

The great religious holidays and festive seasons are a part of our entire community and cultural structure. In giving recognition to significant religious holidays, the schools should not ignore the mores of any segment of the community and country. Mores are defined as those specific, fixed customs and folkways that are imbued with an ethical, secularized significance. The schools will continue to recognize these occasions in their programs and classroom activities. It is the responsibility of the teachers to appreciate the differences in the religious backgrounds of the students in their charge and to exercise good judgment in maintaining a spirit of acceptance of religious differences among the students, while at the same time pointing out in the classwork the significances of the religious holidays and celebrations for those whose religious faiths support these events. Time spent in the preparation and presentation of any program must be educationally justifiable and defensible.

It is not the intention of this policy to remove the schools from the social and cultural life of the community. It is the task of the school administration and teachers to exercise good judgment and a sense of fair play so as to not offend the sensibilities of those of differing creeds and religious beliefs.

Instruction
FAMILY LIFE / SEX EDUCATION

The governing Board believes that a wholesome, well-planned sequence of instruction about family life and human sexuality is essential to the general education of all students.

Legal Reference:

EDUCATION CODE

48980 *Required notification of rights and availability of nutrition and individualized instruction programs*

51202 *Instruction in personal and public health and safety*

51240 *Excuse from health instruction and family life and sex education due to religious beliefs*

51550 *Sex education courses*

51553 *Sex education*

51820 *Venereal disease instruction: written notification to parent; inspection of instructional material; consensual pupil participation*

FAMILY LIFE / SEX EDUCATION GUIDELINES, California State Department of Education, 1987

First Reading: 4/28/98

Adopted: 5/12/98

PHYSICAL EDUCATION

The Board of Trustees recognizes the positive benefits of physical activity for student health and academic achievement and encourages each student to take advantage of the various opportunities for physical activity offered by the District.

The Board desires to provide a physical education program which builds interest and proficiency in movement skills and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self-image, physical education activities should teach students how to cooperate in achievement of common goals.

The Board shall approve the components of the physical education program.

Instruction in physical education in an elementary school maintaining any grades 1 to 8 shall be for a total period of time of not less than 200 minutes each 10 schooldays, exclusive of recesses and lunch periods.

Physical education staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather, or other inclement conditions.

Exemptions:

The Superintendent, Principal, or designee may grant temporary or permanent exemptions from mandatory physical education under the following conditions:

- a) A student is ill or injured and a modified program to meet his/her needs cannot be provided. (This requires verification by a doctor's statement.)
- b) A student is enrolled for one-half time or less.

Exemptions shall be reviewed annually.

Legal References:

Education Code Section 51223

Education Code Section 51241

First Reading: October 28, 2003

Adopted: November 25, 2003

CLASS SIZE

The Governing Board recognizes that the number of students in a class may affect the extent to which teachers can identify and respond to individual student needs.

In accordance with negotiated employee agreements and state law, and upon the recommendation of the Superintendent or designee, the Board shall establish upper and lower class size limits appropriate for the subject or grade level taught and conducive to the effective use of teaching staff.

In establishing class size reduction programs for designated grade levels and courses, the Superintendent or designee shall determine the potential impact of class size reduction on staffing and school facilities needs and shall recommend ways to address these needs without negatively affecting other grade levels and district programs.

Class Size Reduction in Grades K-3

The Board believes that small class size is beneficial to students in the elementary grades as they acquire the basic skills that serve as the foundation for their subsequent learning. The Superintendent or designee shall ensure that classes in designated elementary grades are reduced to 20 or fewer students per teacher. Full-time mainstreamed special education students shall be included in determining class size for purposes of the class size reduction program.

The Superintendent or designee shall ensure that the teachers of these classes receive training which will help them to maximize the educational advantages of class size reduction. As a means of providing more individualized instruction, the Board encourages the use of early-late programs funded pursuant to Education Code 46205.

Legal Reference:

EDUCATION CODE

17042 Rules for determining area of adequate school construction; exceptions

17042.7 Formula for calculation

33050 Nonwaivable provisions

35160 Authority of the board

41375 Legislative intent encouraging reduction in class size

41376 Minimum class size standards

41378 Apportionments and allowances, kindergarten classes

42280 Necessary small schools

46205 Computation for early-late programs

51225.3 Graduation requirements

52120-52128 Class Size Reduction Program

52080-52090 Morgan-Hart Class Size Reduction Act of 1989

GOVERNMENT CODE

3543.2 Scope of representation

CODE OF REGULATIONS, TITLE 5

15103 Definitions

15130-15133 Class size reduction program K-3

15140-15141 Class size reduction in two courses in grade 9

Management Resources:

CDE PROGRAM ADVISORIES

1007.96 Class Size Reduction and the Relationship to Individuals with Disabilities

0921.90 Implementing Class Size Reduction under the Morgan-Hart Class Size

Reduction Act of 1989: CIL: 90/91-01

WEB SITES

CDE: [http:// www.cde.ca.gov](http://www.cde.ca.gov)

(10/96, 10/97) 10/98

First Reading: June 28, 2005

Second Reading/Adoption: July 12, 2005

NON-DISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES

The Board of Trustees of the Dixie District, in compliance with Title IX of Education Amendments of 1972, final guideline effective for implementation July 21, 1975, and in accordance with the Equal Opportunity Act of 1972, declares its intent not to discriminate on the basis of sex in the admission of students to school programs and in its educational programs or activities.

Only those exceptions specifically provided for in the Federal Regulations shall be approved by the Superintendent.

The Superintendent or his designee is hereby designated the Title IX Officer responsible for implementing and coordinating this policy in keeping with applicable state and federal laws and regulations.

Legal Reference: Title IX Part 86, Title 45, U.S. Code

Adopted: 8/4/76
Revised: 3/14/79
Reviewed: 1/11/94

FIELD TRIPS

The Governing Board of the Dixie School District recognizes that field trips have educational value when proper planning and coordination with the educational program is provided.

Field trips, for the purposes of this statement, are school sponsored trips for classes or defined groups requiring transportation. They are further defined as trips taken to give pupils educational experiences not available through books or other media, but which should be a part of the pupil's education.

The following conditions govern field trips to be taken by the pupils of the Dixie School District:

1. Pupils shall be transported in District-owned vehicles. Exceptions for small group transportation may occur only when there is appropriate insurance coverage.
2. The teacher and the principal of the school are in agreement that the experience is worthwhile and best meets the needs of the particular group.
3. Supervision by certificated personnel shall be provided within at least the teacher-pupil ratio normally maintained for the class.
4. Before a student may participate in a field trip, it is necessary that he receive permission in advance from his teacher and the written permission of his parents. One parental permission slip per student may be sufficient to cover any or all of the field trips by school bus or common carrier which are scheduled within the current school year when parents are advised of the time and circumstances of each trip.
5. Parents may be invited to assist in supervision but shall not be expected to assume the responsibilities placed upon the teacher by law because of their position.
6. Trips may be taken after school or on Saturdays providing both the teacher and the principal are in agreement that the experience is a worthy one and that they share a willingness to provide the necessary supervision.

Education Code References: 8760, 35212, 35330, 35331, 35332

Adopted 11/23/60

Amended 11/8/78

Reviewed 1/12/83

HOMEWORK

Regularly assigned homework is an integral component of the education program that deepens student learning and understanding and shall be required of all District students.

Homework is defined as an assigned activity which is primarily accomplished outside of regular class time. Such work shall be appropriate to the grade level, subject matters, and instructional objective(s); in general, the amount of time spent on homework shall increase as the student progresses through the grades.

Parents and staff shall consistently support the completion of homework throughout the year. By working together in the interest of students in the Dixie District, all concerned can create and promote a more consistent, effective and stimulating educational climate for our students.

Purposes and benefits of homework can include:

- Extend or make more meaningful concepts introduced at school
- Engage students in purposeful practice relevant to their learning
- Develop effective student habits
- Develop independent learning skills

It is recognized that periodically students may be required to complete unfinished class work at home.

Specific guidelines will be developed by the professional staff at each school and included in an Administrative Regulation.

INSTRUCTIONAL EQUITY

It is the intent of the Dixie Governing Board that all students in the District's schools shall have equal preparation for their next level of education.

Where the District operates more than one school at a given grade level, the instructional program and resources provided shall be substantially similar at each site.

This policy is intended to allow for unique and varied procedures at the individual schools and to capitalize on the special capabilities of on-site personnel and facilities awhile achieving the goal of instructional equity.

The Superintendent shall direct the staffs of the District's schools to communicate regarding methods of delivery of programs and to coordinate and articulate the content of programs at all grade levels and at all sites.

INDIVIDUALIZED EDUCATION PROGRAM

The Board of Trustees needs to ensure that the District provides a comprehensive range of special education programs and services that enables students with disabilities to receive a free and appropriate public education (FAPE). Students with disabilities shall be placed in the least restrictive environment in each a manner that services will be provided outside of the general education classroom only when the student's specific needs cannot be met in that setting. All service and placement recommendations should promote maximum social interaction between students with disabilities and their nondisabled peers and in a manner that is appropriate to the needs of both.

The Superintendent or designee shall develop administrative regulations regarding the identification, assessment, and placement of students with disabilities, as well as appointment of the individual education program (IEP) team and content of the IEP. Students and parents/guardians shall have the right to participate in the development of the IEP.

Legal Reference:**EDUCATION CODE**

56055 Rights of foster parents pertaining to foster child's education

56136 Guidelines for Low Incidence disabilities

56195.8 Adoption of policies

56321 Development or Revision of IEP

56321.5 Notice to include right to electronically record

56340 - 56347 Instructional planning and individualized education program

56380 IEP reviews; notice of right to request

56500 - 56508 Procedural Safeguards/Due Process

60640 - 60649 Standardized Testing and Reporting Program

GOVERNMENT CODE

7572.5 Seriously emotionally disturbed child, expanded IEP team

CODE OF REGULATIONS, TITLE 5

852 - 853 Standardized Testing and Reporting Program, accommodations for students with disabilities

3021 - 3029 Identification, Referral and Assessment

3040 - 3043 Instructional planning and the individual education program

3069 Review of individual education program

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974
1400 - 1487 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1 - 300.756 Individuals with Disabilities Education Act

COURT DECISION

Sacramento City School District v. Rachel H 14 F.3d 1398 (9th Cir.1994)

Management Resources:

FEDERAL REGISTER

34 CFR 300.A Appendix to Part 300 - Questions and Answers
34 CFR 300.a1 Attachment 1: Analysis of Comments and Changes

WEBSITES

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

US Department of Education, Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/offices/OBSERS>

First Reading: May 27, 2003
Adopted: June 10, 2003

SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS FROM STATE
APPROVED LISTS

The Board of Trustees of the Dixie District subscribes to the policy of the State of California which allows local school districts to select those instructional materials from State-adopted lists that best meet the educational needs of the students.

The Superintendent annually shall prepare and present to the Board a review report on the status of the State instructional materials program within the District. The Superintendent will, within his report, recommend a budgeting and purchasing plan for basic instructional materials based upon priority requirements of the District and the textbook adoption cycle prescribed by the State.

The Superintendent shall prepare an administrative regulation to establish selection procedures for instructional materials which will provide for teacher and Board involvement in the selection process.

Copies of all materials approved for adoption under this policy or policy 6161.3 (Introduction of Supplementary Materials) shall be available at the District Office for perusal by teachers and members of the parent community.

Adopted 7/10/74
Amended 11/8/78
Amended 2/23/83

INTRODUCTION OF SUPPLEMENTARY MATERIALS AND EXPERIENCES

The Board of Trustees of Dixie School District encourages the introduction into the educational program of supplementary materials and experiences which are innovative and experimental in nature and which have not yet been adopted as standard* materials and experiences. The basis for such introduction shall be to better achieve the general and immediate educational objectives set forth in Board Policy #3 - Philosophy of Education.

The Superintendent shall provide for a regulation to carry out this policy and shall insure that all supplemental materials acquired and all supplemental experiences provided for in the system shall be subject to rigorous, periodic review and evaluation.

Upon successful evaluation, innovative and experimental materials and experiences introduced to supplement the program shall be recommended to the Board for adoption as standard.

*Standard materials and experiences are those approved and adopted by the State Board of Education, the County Board of Education, or the Board of Trustees of Dixie School District. Certificated staff members need no approval in order to use materials or experiences adopted as standard.

POLICY ON SOFTWARE AND VIDEO PROGRAMMING COPYRIGHT

The Dixie School Board adheres to the provision of copyright laws in the area of computer programs and video programming. Therefore, in an effort to discourage violation of copyright laws and to prevent such illegal activities:

1. The legal, ethical and practical implications of software and video programming piracy will be taught in all schools in the District.
2. With regard to COMPUTER SOFTWARE, District employees shall adhere to the provisions of Public Law 96.517, Section 7(b) which amends Section 117 of Title 17 of the United States Code to allow for the making of a back-up copy of computer programs. This states that "...it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaption of the computer program provided:
 - a. That such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner, or
 - b. That such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful."
3. With regard to VIDEO PROGRAMMING, Dixie District employees shall adhere to the provisions of law related to: reproduction, use, broadcast, and purchase of video materials as related to the instructional program.
4. Illegal copies of copyrighted programs will not be made or used on school equipment.
5. Neither the legal nor insurance protection of the District will be extended to employees who violate copyright laws.
6. The Superintendent is designated as the only individual who may sign license agreements for software and video programming in the District.
7. The principal of each school site is responsible for establishing practices which will enforce this policy at the school level.

Adopted: 6/12/85

Revised: 3/11/87

STUDENT USE OF TECHNOLOGY

The Governing Board recognizes that technology provides ways to access the most current and extensive sources of information. Technology also enables students to practice skills and to develop reasoning and problem-solving abilities. In addition, electronic resources foster workplace skills that may be transferable to new technologies. Every effort shall be made to provide equal access to technology throughout the district's schools and classes.

On-Line Services

To discourage access to adult content on on-line electronic services and preclude other misuses of the system, the Superintendent or designee shall establish age/grade-level qualifications and shall ensure that students receive training in user obligations and responsibilities.

Before using on-line services, the student and parent/guardian shall sign the district's user contract indicating that the student understands and agrees to abide by specified user obligations and responsibilities.

Staff shall closely supervise students while using on-line services and may ask teacher aides and student aides to assist in this supervision.

The Superintendent or designee shall establish administrative regulations governing use of the district's on-line services. He/she shall ensure that users have no expectation of privacy and understand that district staff may monitor or examine all system activities to ensure proper use of the system. Students who fail to abide by these regulations shall be subject to disciplinary action, revocation of the user account, and legal action as appropriate.

Legal Reference:EDUCATION CODE

- 51006 Computer education and resources
- 51007 Programs to strengthen technological skills
- 60011 Instructional materials definition
- 60013 Supplementary instructional materials
- 60017.1 Technology-based materials
- 60044 Prohibited instructional materials

PENAL CODE

- 632 Eavesdropping on or recording confidential communications

UNITED STATES CODE, TITLE 20

- 6801-7005 Technology for Education Act of 1994

Management Resources:CDE PUBLICATIONS

- K-12 Network Technology Planning Guide: Building the Future, 1994

CDE PROGRAM ADVISORIES

- 1223.94 Acceptable Use of Electronic Information Resources

DIXIE SCHOOL DISTRICT INTERNET USE AGREEMENT

The Internet is a global computer network of schools, businesses, governments, organizations, and millions of individuals. All of them are exchanging or publishing ideas and information on thousands of topics. The Internet resources are constantly changing (and not always authoritative), and include government and scientific information, as well as material on business, current events, the arts and popular culture.

The Internet is largely unregulated, and not all of the information it carries is suitable for children. Therefore, the Dixie School District asks that parents read the following responsibilities carefully before giving permission for their child to use the Internet. We ask that students also read this document carefully before they agree to the responsibilities that accompany the privilege of Internet access. If parents tell a child that certain topics are not acceptable, it is the student's responsibility not to access these areas.

Responsibilities of Internet Use:

Every user of the Internet in the Dixie School District accepts the responsibility of respecting the rights of all other network users, and of acting in a responsible, ethical and legal manner at all times. Because in-school access to the Internet is a privilege, and because each student is personally responsible for his or her actions on the Internet, unacceptable behavior will result in the suspension or revocation of a student's personal Internet access. Some behaviors may even cause the school to lose its access rights.

All Internet users will be expected to abide by the generally accepted rules of network etiquette, or netiquette. These include, but are not limited to, the following:

1. Be polite. Do not be abusive in messages to others. Do not "yell" by using capital letters and an exclamation point.
2. Use appropriate language. Do not use profanity, vulgarities, or inappropriate language.
3. Do not become involved in any illegal activities, including copyright violations.
4. Never reveal your personal address or phone number or those of others.
5. Respect the rights of others. Do not do anything that degrades or disrupts the use of the network, either to the software or hardware. Do not vandalize or destroy the data of another user. Do not try to gain unauthorized access to resources or entities.
6. Note that electronic mail (e-mail) is not guaranteed to be private. Messages relating to or in support of illegal activities may be reported to authorities.
7. All communications and information accessible via the network should be assumed to be subject to copyright law.
8. Do not use the school's Internet connection to access any kind of chat groups, games, or any inappropriate subjects without the permission of the supervising teacher.

Dixie School District and its network provider, the Marin County Office of Education, make no guarantees of any kind for the service we are providing. We will not be responsible for any damages you suffer, including loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions.

DIXIE SCHOOL DISTRICT
Internet Use Agreement

STUDENT:

I have read and understand the Dixie School District Internet Use Policy and agree to abide by its terms and conditions. I understand that if I violate this use policy, my network/Internet privilege will be revoked and I will be subject to disciplinary action. I also understand that violating this use policy may subject me to criminal and/or civil liability.

Name: (Please print) _____ Grade: _____

Signature: _____ Date: _____

PARENT OR GUARDIAN:

As the parent or guardian of this student, I have read ***and discussed with my child*** the terms and conditions. I understand that this access is designed for educational purposes. I recognize it is impossible for Dixie School District to restrict access to all controversial materials, and I will not hold the school, district or Marin County Office of Education responsible for materials acquired by my child on the network. I hereby give my permission for my child to have access to the school's Internet account and certify that the information contained on this form is correct.

_____ Yes, I give my child permission to have access to the Internet.

_____ No, I do not give my child permission to have access to the Internet.

Name: (please print) _____

Signature: _____ Date: _____

Daytime phone number: _____

Evening phone number: _____

INTERNET SAFETY

It is the policy of the Dixie School District that access to the Internet provided by the Dixie School District is expected to be used as an educational and/or work-related resource and that such access shall be made available, subject to such rules and regulations as may be established.

Definitions

1. Access to the Internet – A computer shall be considered to have access to the Internet if such computer is equipped with a modem or is connected to a computer network which has access to the Internet.
2. Minor shall mean an individual who has not attained the age of 19.
3. Obscene shall have the meaning given such term in Section 1460 of Title 18, United States Code.
4. Child pornography shall have the meaning given such term in Section 2256 of Title 18, United States Code.
5. Harmful to minors shall mean any picture, image, graphic image file, or other visual depiction that:
 - a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - b. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
6. Hacking shall mean attempting to gain unauthorized access to computer and network systems connected to the Internet.
7. Technology protection measure shall refer to a proxy server managed by the Marin County Office of Education that blocks and/or filters Internet access.

Access to Internet by Minors

Minors accessing Internet services provided by the Dixie School District, as students or when working as employees or volunteers of the Dixie School District, when attending trainings, meetings, conferences, or other events sponsored at a facility owned or leased by the Dixie School District, or at a facility of which the Dixie School District has otherwise been granted

primary custody, or when accessing Dixie School District Internet services with remote access connections, shall be subject to the following rules and regulations:

1. Minors shall not access material that is obscene, child pornography, harmful to minors, or otherwise inappropriate for educational or work-related uses.
2. Minors shall not use Dixie School District technology or Internet resources to engage in hacking or attempts to otherwise compromise any computer or network system's security.
3. Minors shall not engage in any illegal activities on the Internet.
4. Minors should only use electronic mail, chat rooms, and other forms of direct electronic communications for purposes related to education within the context of a school-related assignment activity or for purposes related to work, including volunteer, at the Dixie School District.
5. Minors shall not disclose personal identification information on the Internet.
6. The online activities of minors shall be monitored.

Access to Internet by Adults

Adults accessing Internet services provided by the Dixie School District when working as an employee or volunteer of the Dixie School District, when attending trainings, meetings, conferences, or other events sponsored at a facility owned or leased by the Dixie School District, or at a facility of which the Dixie School District has otherwise been granted primary custody, or when accessing the Dixie School District Internet services with remote access connections, shall be subject to the following rules and regulations:

1. Adults shall not access material that is obscene, child pornography, or otherwise inappropriate for training or work-related uses.
2. Adults shall not use the Dixie School District technology resources to engage in unauthorized hacking or attempts to otherwise compromise any computer or network system's security.
3. Adults shall not engage in illegal activities on the Internet.

Technology Protection Measures

The Dixie School District shall use a technology protection measure that blocks and/or filters Internet access to prevent access to Internet sites that are not in accordance with the policies of the Dixie School District.

1. The technology protection measure that blocks and/or filters Internet access may be disabled by an authorized staff member of the Dixie School District or the Marin County Office of Education for bona fide research purposes with permission of the immediate supervisor of

the staff member requesting said disabling, or with the permission of the administrator of the Dixie School District.

Policy Violations

Any violation of this policy may result in the loss of access to the Internet by the Dixie School District. Additional disciplinary action may be determined in accordance with existing procedures and practices, both administrative and as stipulated in the Dixie School District Board policy, and including applicable law enforcement agencies when necessary.

Policy Challenge Procedure

An individual who has been granted access to the Internet by the Dixie School District and desires to access an Internet site that is not compliant with this policy may challenge the enforcement of the policy according to the following provisions.

1. Internet site review requests should be directed to the Dixie School District Business Manager in writing for consideration.
2. The Dixie School District and the Marin County Office of Education will review the site within seven working days of submission of the request and, if deemed appropriate for educational or work-related purposes, may unblock the site.
3. The Dixie School District shall regulate enforcement of the policy, including disciplinary actions.

First Reading: October 9, 2001
Adopted: October 23, 2001

COPYRIGHTS

The Dixie School District, its Board of Trustees, and its faculty and staff recognize and honor the intellectual property rights of the creators of all works. We also recognize that there is a balance between the rights of the works' creators, as protected by law, and need to disseminate information, which was the original intent of the law. As an institution devoted to education, it is our duty to share the knowledge and wisdom that has gone before with our students. However, it is understood that the act of educating our students does not give us the right to ignore the limitations placed on copyrighted material. Instead, we need to take advantage of the exemptions provided in the law to the copyright holder's rights and/or obtain permission from the copyright holder for a given use.

This policy is created to serve many purposes, among them are:

- to state the district's intent to honor the limitations placed upon the use of copyrighted work;
- at the same time, to encourage teachers, staff, and students to take full advantage of the allowable uses of copyrighted material;
- to facilitate intelligent decision making about the use of copyrighted materials by creating a knowledge base to work from; and
- to express the Dixie District's expectation of academic integrity for all our faculty, staff, and students regarding the copying and use of information.

Legal references:

12. References. Dixie School District Copyright Policies and Regulations Handbook, September 2002

First Reading: December 10, 2002

Adopted: January 14, 2003

SECTION 504 OF THE REHABILITATION ACT

It is the intent of the Dixie School District to promote the provisions of Section 504 of the Rehabilitation Act of 1973. Therefore it is the policy of Dixie School District that no otherwise qualified individual with handicaps as defined in Section 504 shall solely by reason of her/his handicaps be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity offered by this district.

In furtherance of this policy the Dixie School District acknowledges its duty in the following areas:

- a. identification of qualified students, and
- b. assessment of the educational and related service needs of referred or qualified students, and
- c. provision of a free, appropriate public education for all qualified students, and
- d. provision of a system of procedural safeguards which includes notice and an impartial hearing on the issues of identification, evaluation and educational placement, and
- e. provision of appropriate procedural safeguards with regard to discipline of qualified students.

In furtherance of this policy and federal law, the Dixie School District shall include in its annual notice to all pupils a notice of rights set forth in this policy. In addition the Dixie School District shall provide training for appropriate staff on the issues related to this policy enforcement and the requirements of Section 504 of the Rehabilitation Act.

The Superintendent is authorized to develop and revise as necessary the regulations and procedures necessary to implement the requirements of Section 504 and this policy.

For further information on this policy and the legal requirements, staff, parents and other interested members of the public may contact the Superintendent who is the designated Section 504 Compliance Officer for the District.

The provisions of this policy and all related regulations and procedures of the Dixie School District are intended to supplement, and not replace any applicable federal and state laws and regulations. Individuals with complaints regarding this District's compliance with the applicable federal and state laws are encouraged to bring such complaints/concerns forward to the above assigned compliance officer or to the Superintendent. In addition such complaints may be forwarded to the appropriate governmental agency such as the Office for Civil Rights.

Legal References

29 U.S.C. 706(8) et seq., 34 Code of Federal Regulations Part 104

Adopted: 5/24/94

COMPLAINTS ABOUT INSTRUCTIONAL AND LIBRARY MATERIALS

The Governing Board is responsible for all book purchases and recognizes the student's right to free access to many different types of books. The Board also recognizes the right of librarians, teachers and administrators to select books and other materials in accord with current trends in education and to make them available in the classrooms and libraries. It is, therefore, the policy of this District to require the materials selected for our schools be in accord with the following:

1. Books and other instructional materials shall be chosen for values of interest and enlightenment of all students in the community. Instructional and library materials shall not be excluded because of the race, nationality, political, social or religious views of the writer, or of its style and language. Materials chosen shall be supportive of and consistent with traditional societal values in personal relationships, societal interactions, language and democratic ideals.

Books, other instructional materials, and/or activities selected for instruction, study and library use which could be potentially controversial, should be of significant value and should contribute to the major purpose of the school curriculum and to the purpose of the course of study involved.

2. Every effort will be made to provide materials and library books that present a balanced point of view concerning the problems and issues of our times, international, national and local, and books or other reading materials of sound factual authority shall not be proscribed or removed from library shelves or classrooms because of partisan, doctrinal approval or disapproval.

Issues which could be controversial should be presented in such a way as to provide students with practice in comparing evidence, weighing arguments and analyzing various points of view.

3. No parent or group of parents has the right to determine the reading matter, instructional materials, library books or activities for students other than his/her own children.
4. Censorship of instructional and library materials shall be challenged in order to maintain the school's responsibility to provide information and enlightenment.

UNIFORM COMPLAINT PROCEDURES CONCERNING SCHOOL AND DISTRICT PROGRAMS

The Governing Board recognizes that the District is responsible for complying with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints at the site level whenever possible. The District shall investigate and seek to resolve complaints at the local level. All complaints will be investigated within 60 days of receipt of the complaint. As required by California law, the district shall follow the uniform complaint procedures set forth in Administrative Regulation 6170 when addressing complaints alleging unlawful discrimination based on ethnicity, religion, age, gender, sexual orientation, color, or physical or mental disability 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, and special education programs.

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

(cf. 0421.1 – School-Based Coordinated Programs)

(cf. 0420.2 – School Improvement Program)

(cf. 0430 – Comprehensive Local Plan for Special Education)

(cf. 3553 – Free and Reduced Lunch Program)

(cf. 6171 – Title I Programs)

(cf. 6174 – Education for Students of Limited-English Proficiency)

(cf. 6175 – Migrant Children Program)

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

The Board acknowledges and respects student and employee rights 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.

(cf. 4119.23 – Unauthorized Release of Confidential/Privileges Information)

(cf. 5125 – Student Records)

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

The Superintendent or designee 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 or designee.

(cf. 9124 – Attorney)

Complainants may seek help from public or private agencies such as legal assistance agencies, local mediation centers, the county office of education or from private attorneys. Local resources include:

Legal Aid of Marin

A complaint that a school district has not complied with the requirements of Article 4.5, Local Control Accountability Plans (Education Code 52060 through 52071), may be filed with a school district pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and BP 6170 and AR 6170.

Legal Reference:

EDUCATION CODE
200-262.3 – Prohibition of discrimination
35146 Closed sessions
35160.5 Requirement of school district policies: parental complaints re.
employees
48985 Notices in language other than English
49060 – 49079 Student Records
51513 Personal beliefs

CODE OF REGULATIONS, TITLE 5
3080 Application of section 4600-4671
4600-4671 Uniform Complaint Procedures

GOVERNMENT CODE
54957-54957.8 Closed Sessions

CIVIL RIGHTS ACT OF 1964
42 U.S.C.A. Section 2000c et seq.

TITLE IX, EDUCATION AMENDMENTS OF 1972

20 U.S.C.A. Section 1231g, 1681 et seq.

SECTION 504, REHABILITATION ACT OF 1973

29 U.S.C.A. Section 721, 761

EDUCATION CONSOLIDATION AND IMPROVEMENT ACT OF 1981

20 U.S.C.A. Section 3801 et seq.

GENERAL EDUCATION PROVISIONS ACT

20 U.S.C.A. 1221 et seq., especially

FAMILY EDUCATION AND PRIVACY RIGHTS ACT OF 1974

20 U.S.C.A. Section 1221, 1232g

34 CODE OF FEDERAL REGULATIONS

Section 100.7 (e)

Legal Reference:

EDUCATION CODE

200-262.3 Prohibition of discrimination

18100-18179 School libraries

35146 Closed sessions

35160 Authority of governing boards

44670.1 – 44671.5 School personnel staff development and resource centers

48985 Notices in language other than English

49060-49079 Student records

49490-49560 Child nutrition program

58513 Personal beliefs

52000-52049.1 School improvement programs

52800-52863 School-based coordinated programs

54000-54041 Economic impact aid programs

54400-54425 Compensatory education

54460-54529 Compensatory education programs

56000-56885 Special education programs

59000-59300 Special schools and centers

64000 Consolidated application process

GOVERNMENT CODE

54957-54957.8 Closed sessions

CODE OF REGULATIONS, TITLE 5

3080 Application of section 4600-4671

4600-4671 Uniform Complaint Procedures

UNITED STATES CODE, TITLE 20

1221 et seq. General Education Provisions Act, especially:
1221, 1232 g Family Educational and Privacy Rights Act of 1974
1231g, 1681 et seq. Title IX, Education Amendments of 1972
3801 et seq. Education Consolidation and Improvement Act of 1981

UNITED STATES CODE, TITLE 29

721, 761 Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000c et seq. Civil Rights Act of 1964

CODE OF FEDERAL REGULATIONS, TITLE 34

100.7(e) Intimidation and retaliation prohibited

Policy

Adopted 2/25/81

Amended 3/24/92

Amended 4/25/95

Revised 1/14/03 First Reading

Adopted 1/28/03

Revised and Adopted 6/24/14

DIXIE SCHOOL DISTRICT

Instruction

Policy 6170.1(a)

TRANSITIONAL KINDERGARTEN

The Governing Board desires to offer a high-quality transitional kindergarten program for eligible children who do not yet meet the minimum age criterion for kindergarten. The program shall assist children in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The district's transitional kindergarten shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in program development, implementation, and evaluation.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

BP 6170.1(b)

Eligibility

The district's transitional kindergarten program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

Upon request of a child's parents/guardians, the district may, on a case-by-case basis after the Superintendent or designee determines that it is in the child's best interest, admit into the district TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible for kindergarten.

At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. (Education Code 48000)

Parents/guardians of eligible children shall be notified of the availability of this program and the age, residency, and any other enrollment requirements. Enrollment in the transitional kindergarten program shall be voluntary.

(cf. 5111 - Admission)
(cf. 5111.1 - District Residency)
(cf. 5111.12 - Residency Based on Parent/Guardian Employment)
(cf. 5111.13 - Residency for Homeless Children)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)

Curriculum and Instruction

The district's transitional kindergarten program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

(cf. 6141 - Curriculum Development and Evaluation)

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

BP 6170.1(c)

Upon recommendation by the Superintendent or designee, the Board shall approve academic standards for transitional kindergarten that bridge preschool learning foundations and kindergarten standards. Such standards shall be designed to facilitate students' development in essential skills which may include, as appropriate, language and literacy, mathematics, physical development, the arts, science, social sciences, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Language Learners)

Transitional kindergarten students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

Staffing

BP 6170.1(d)

TRANSITIONAL KINDERGARTEN

Teachers assigned to teach in transitional kindergarten classes shall possess a teaching credential or permit that authorizes instruction at the kindergarten grade level.

(cf. 4112.2 - Certification)

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2020, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that transitional kindergarten teachers are knowledgeable about district standards and effective instructional methods for teaching young children.

(cf. 4131 - Staff Development)

Continuation to Kindergarten

A student shall not attend more than two years in a combination of transitional kindergarten and kindergarten. (Education Code 46300)

(cf. 5123 - Promotion/Acceleration/Retention)

Program Evaluation

The Superintendent or designee shall develop or identify appropriate assessments of transitional kindergarten students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

BP 6170.1(e)

TRANSITIONAL KINDERGARTEN

Legal Reference:

EDUCATION CODE

8973 *Extended-day kindergarten*

44258.9 *Assignment monitoring by county office of education*

46111 *Kindergarten, hours of attendance*

46114-46119 *Minimum school day, kindergarten*

46300 *Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten*

48000 *Minimum age of admission (kindergarten)*

48002 *Evidence of minimum age required to enter kindergarten or first grade*

48200 *Compulsory education, starting at age six*

60605.8 *Academic Content Standards Commission, development of Common Core Standards*

Management Resources:

CSBA PUBLICATIONS

Transitional Kindergarten, Issue Brief, July 2011

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

Prekindergarten Learning Development Guidelines, 2000

First Class: A Guide for Early Primary Education, 1999

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

11-08 *Transitional Kindergarten Assignments, Credential Information Alert, August 25, 2011*

WEB SITES

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

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

California Kindergarten Association: <http://www.ckanet.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Transitional Kindergarten California: <http://www.tkalifornia.org>

First Reading: January 10, 2012

Second Reading and Adoption: April 24, 2012

First Reading: Revised April 24, 2018

Second Reading and Adoption: May 8, 2018

TITLE I PROGRAMS

In order to improve the academic achievement of students from economically disadvantaged families, the district shall use federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments. The Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities. (20 USC 6312)

(cf. 0420 - School Plans/Site Councils)

The district and each school receiving Title I funds shall develop a written parent involvement policy in accordance with 20 USC 6318.

(cf. 6020 - Parent Involvement)

COMPARABILITY OF SERVICES

State and local funds used in schools receiving Title I funds shall provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

To demonstrate comparability of services among district schools:

1. The ratio of students to teachers, administrators, and other staff at each Title I school shall not exceed 110 percent of the average ratio across non-Title I schools.

or

2. All district schools shall be provided with the same level of base funding per student for curriculum and instructional materials.

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

At the beginning of each school year, the Superintendent or designee shall measure comparability in accordance with the above criteria and maintain records documenting the district's compliance. If any instances of noncomparability are identified, the Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

PROGRAM EVALUATION

The Board shall use state assessment results and other available measures or indicators to annually determine whether each participating school is making adequate yearly progress toward ensuring that all students meet the state's proficient level of achievement on state assessments. (20 USC 6316)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 6190 - Evaluation of the Instructional Program)

TITLE I PROGRAMS

Legal Reference:

EDUCATION CODE

11503 Parent involvement programs in Title I schools

52055.57 Districts identified or at risk of identification for program improvement

54020-54028 Economic Impact Aid

54420-54425 State Compensatory Education

64001 Single plan for student achievement, consolidated application programs

UNITED STATES CODE, TITLE 20

6301 Program purpose

6311-6322 Improving basic programs for disadvantaged students, including:

6312 Local educational agency plan

6313 Eligibility of schools and school attendance areas; funding allocation

6314 Title I schoolwide programs

6315 Targeted assistance schools

6316 School improvement

6318 Parent involvement

6320 Participation of private school students

6321 Comparability of services

7881 Participation of private school students

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.79 Improving basic programs for disadvantaged students

Management Resources:

CSBA PUBLICATIONS

Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

LEA Plan, rev. May 17, 2006

Provisions for Private School Students, Teachers, and Other Education Personnel in the No Child Left Behind Act of 2001, rev. November 1, 2005

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Title I Fiscal Issues, May 26, 2006

Designing Schoolwide Programs, March 22, 2006

Supplemental Educational Services, June 13, 2005

The Impact of the New Title I Requirements on Charter Schools, July 2004

Parental Involvement: Title I, Part A, April 23, 2004

Serving Preschool Children Under Title I, March 4, 2004

Title I Services to Eligible Private School Students, October 17, 2003

Local Educational Agency Identification and Selection of School Attendance Areas and Schools and Allocation of Title I Funds to Those Areas and Schools, August 2003

First Reading and Adoption:

June 6, 2017

EDUCATION FOR HOMELESS CHILDREN

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation and shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees and fines.

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (Education Code 52052, 52060)

The Superintendent or designee shall designate an appropriate staff person, who may also be a coordinator for other federal programs, as a district liaison for homeless children and youths. The district liaison shall fulfill the duties specific in 42 USC 11432 to assist in identifying and supporting homeless students succeed in school.

At least annually, the Superintendent or designee shall report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to better support the education of homeless students.

Legal Reference:

EDUCATION CODE

2558.2 Use of revenue limits to determine average daily attendance of homeless children

39807.5 Payment of transportation costs by parents

48850 Educational rights; participation in extracurricular activities

48852.5 Notice of educational rights of homeless students

48852.7 Enrollment of homeless students

48915.5 Recommended expulsion, homeless student with disabilities

DIXIE SCHOOL DISTRICT

Policy 6173

48918.1 Notice of recommended expulsion
51225.1-51225.3 Graduation requirements
52060-52077 Local control and accountability plan
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
UNITED STATES CODE, TITLE 42
11431-11435 McKinney-Vento Homeless Assistance Act

First Reading: April 8, 2014
Second Reading and Adoption: May 13, 2014
Revision and Adoption: June 27, 2017

Dixie School District

Board Policy 6173.1

Education For Foster Youth

The Governing Board recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and district academic standards, the Superintendent or designee shall provide them with full access to the district's educational program and implement strategies identified as necessary for the improvement of the academic achievement of foster youth in the district's local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6011- Academic Standards)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6173 - Education for Homeless Children)
(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as the district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training on the enrollment, placement, and transfer of foster youth and other related rights.

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

The Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement. The Superintendent or designee shall develop strategies to build a foster youth's feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

(cf. 1020 - Youth Services)

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

(cf. 0500 - Accountability)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)

Legal Reference:

EDUCATION CODE

32228-32228.5 Student safety and violence prevention
42238.01-42238.07 Local control funding formula
42920-42925 Foster children educational services
48645-48646 Juvenile court schools
48850-48859 Educational placement of students residing in licensed children's institutions
48915.5 Suspension and expulsion; students with disabilities, including foster youth
48918.1 Notice of expulsion hearing for foster youth
49061 Student records
49069.5 Foster care students, transfer of records
49076 Access to student records
51225.1 Exemption from district graduation requirements
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
52060-52077 Local control and accountability plan
56055 Rights of foster parents in special education
60851 High school exit examination

HEALTH AND SAFETY CODE

1522.41 Training and certification of group home administrators
1529.2 Training of licensed foster parents
120341 Foster youth: school placement: immunization records

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction
309 Investigation and release of child
317 Appointment of legal counsel
361 Limitations on parental or guardian control
366.27 Educational decision by relative providing living arrangements
602 Minors violating law; ward of court

726 Limitations on parental or guardian control
727 Order of care, ward of court
16000-16014 Foster care placement
UNITED STATES CODE, TITLE 20
1415 Procedural safeguards; placement in alternative educational setting
UNITED STATES CODE, TITLE 29
794 Rehabilitation Acts of 1973, Section 504
UNITED STATES CODE, TITLE 42
670-679b Federal assistance for foster care programs
11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

CSBA PUBLICATIONS

Educating Foster Youth: Best Practices and Board Considerations, Policy Brief,
March 2008

AMERICAN BAR ASSOCIATION PUBLICATIONS

Myth Busting: Breaking Down Confidentiality and Decision-Making Barriers to
Meet the Education Needs of Children in Foster Care, 2005

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS

Our Children: Emancipating Foster Youth, A Community Action Guide

WEB SITES

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

American Bar Association: <http://www.americanbar.org>

California Child Welfare Council:

<http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>

California Department of Education, Foster Youth Services:

<http://www.cde.ca.gov/ls/pf/fy>

California Department of Social Services, Foster Youth Ombudsman Office:

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

California Youth Connection: <http://www.calyouthconn.org/site/cyc>

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

(3/08 11/09) 12/13

First Reading: April 8, 2014

Second Reading and Adoption: May 13, 2014

Education for English Language Learners

The Governing Board intends to provide English language learners with a challenging core curriculum and instruction that develop proficiency in English as rapidly and effectively as possible in order to assist students in achieving their full potential.

The district's program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers.

To ensure that the district is using sound methods that effectively serve the needs of English language learners, the Superintendent or designee shall annually examine program results, including reports of the students' academic achievement and their progress towards proficiency in English. The Superintendent shall ensure that schools compile data on programs for English language learners in order to help determine program effectiveness.

The superintendent or designee shall maintain procedures that provide for the identification, assessment, and placement of English language learners and for their redesignation based on criteria adopted by the Board and specified in the administrative regulations.

Students who are English language learners shall be educated through a combination of English language mainstream and structured English immersion classroom experiences. Nearly all of the classroom instruction in the district's structured English immersion program shall be in English. However, clarification, explanation and support, as needed, may be in a student's primary language. (Education Code 305, 306)

Redesignation

An English language learner shall be transferred out of the structured English immersion program when the student has acquired a "reasonable level of proficiency" as measured by the California English Language Development Test, and/or any of the locally developed and approved assessments. (Education Code 305,5 CCR 11301)

A student has acquired a "reasonable level of proficiency" when he/she has achieved four out of six of the district designated benchmarks.

Parent Exception Waivers

Upon the request of his/her parent/guardian, a student shall be exempted from a structured

English immersion program. (5 CCR 11303)

Parent/guardian requests for waivers from Education Code 305 shall be granted in accordance with law and administrative regulation.

The principal shall consider all waiver requests made pursuant to Education Code 311(c) for students with special needs and shall submit a rationale of the decision regarding the waiver to the Superintendent or designee. When determining whether or not to recommend the approval of the waiver request, the principal shall assume that the facts justifying the request attested by the parent/guardian are a true representation of the child's condition. All such waiver requests shall be granted unless: (1) the principal and educational staff determine that the alternative program requested by the parent/guardian would not be better suited for the overall educational development of the student or (2) the program requested by the parent/guardian is not offered at the school.

When evaluating a waiver request pursuant to Education Code 311(a) for students who already know English and other waiver requests for those students whose standardized assessment data are not available, other equivalent assessment measures shall be used. These equivalent measures may include local assessments, local standards and teacher evaluations.

If the waiver requested by the parent/guardian is granted, and an appropriate placement is not available at the same school, the student shall be allowed to transfer to another public school in which such a class is offered. (Education Code 310)

Students wishing to transfer to another school shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

If the Superintendent or designee denies the waiver request, he/she shall provide a written justification to the parent/guardian describing the reasons for the denial. A parent/guardian may appeal the Superintendent's decision in writing to the Board. The Board may consider the matter at its next regular Board meeting. The Board may decide not to hear the appeal, in which case the Superintendent's decision shall be final. If the Board hears the appeal, the Superintendent shall send the Board's decision to the parent/guardian within seven working days.

Parent Complaint Procedures

The Governing Board recognizes that the district has primary responsibility for compliance with state and federal laws and regulations governing educational programs. All complaints shall be investigated within 60 days of receipt of the complaint. The district shall follow uniform complaint procedures when addressing a complaint alleging failure to comply with state and

federal law for English language learners.

The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual, and whether or not it should be resolved by the district's process for complaints concerning personnel, other district procedures, or both.

(cf. 6170 – Uniform Complaint Procedures Concerning School and District Programs)

(cf 1312 – Complaints Concerning District Employees)

Legal Reference:

EDUCATION CODE

300-340	English language education for immigrant children
33308.5	CDE guidelines not binding
44253.5-44253.10	Certification for bilingual-cross-cultural competence
48985	Notices to parents in language other than English
52015	Components of school improvement plan
52130-52136	Impacted languages act of 1984
52160-52178	Bilingual Bicultural Act especially:
52164.6	Reclassification criteria
52169	Requirements for establishment of program
52171	Evaluation of student progress
52171.6	Annual report to legislature
52177	Administration of article
52180-52186	Bilingual teacher training assistance program
54000-54041	Programs for disadvantaged children
62000-62005.5	Evaluation and sunseting of programs

CODE OF REGULATIONS, TITLE 5

4301-4320	Bilingual education program requirements
11300-11305	English language education for immigrant children

UNITED STATES CODE, TITLE 20

1701-1705	Equal Education Opportunities Act
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First Reading: November 13, 2001

Adopted: November 27, 2001

SUMMER SCHOOL

The Governing Board recognizes that summer school provides valuable opportunities for students to improve their skills and make academic progress. When the need is demonstrated and funds are available, the Superintendent or designee, with Board approval, shall establish summer school classes for purposes of enrichment, skills development, and/or remediation.

Academic Core Summer School

First priority to enroll in summer school shall be for all students enrolled in Dixie School District schools during the regular school year preceding summer school and who have been recommended by their classroom teacher. Notice of summer school, with the registration application and a deadline for its return, will be sent home with students of all district elementary school sites. Families will list each child they wish to register for K-5 summer school on one registration application. After the deadline, applications will be drawn by lottery to fill available openings and to designate the order on a waiting list for the remainder. Parents will be notified of their children's acceptance or their place on the waiting list. Those accepted will be required to return a form confirming their intent to participate by a given date. Additional students will be registered from the waiting list, to replace those who decline to participate or who fail to respond by the deadline, until classes are full or everyone on the waiting list has been registered.

To the extent that space is available after district students have enrolled, remaining openings in academic core summer school classes shall be open to K-5 private school students who reside in Dixie School District boundaries. In this case, notices will be sent to private schools for distribution to district residents, with instructions and applications for summer school registration. The procedures outlined in the paragraph above will again be followed.

Minimum Proficiency Summer School

The district shall offer summer instructional programs for students enrolled in grades 7-8 who were assessed as not meeting the adopted standards of proficiency in basic skills, including Mathematics, Reading, English/Language Arts, Writing and/or Spelling. Notice of these classes with a registration application and deadline will be mailed to the homes of students who do not pass district minimum proficiency tests in the subjects listed above, inviting their participation in Minimum Proficiency Summer School classes. Procedures outlined above in paragraph 2 will be followed.

EDUCATION CODE

37252	Summer school programs for students not meeting standards of proficiency
37253	Instructional programs in mathematics, science, and other core academic areas
51730	Elementary summer school instruction

CODE OF REGULATIONS, TITLE 5

11470-11472 Summer Schools
70 Ops. Calif. Atty. Gen. 282 (1987)

First Reading:	1/13/98
Adopted:	1/27/98
First Reading (revised):	3/9/99
Adopted (revised):	3/23/99

ESTABLISHMENT OF SCHOOL SITE COUNCILS

I. PHILOSOPHY

The Board of Trustees of the Dixie Elementary School District adopts the following guidelines to establish school site councils in support of the policies described in Chapter 6 of Assembly Bill 65. We encourage the schools of this district to continue to apply for planning and implementation grants in accordance with the requirements of AB-65 and the philosophy of this district.

The Board of Trustees believes that the education of our children is a shared responsibility involving a partnership between the Board, the administrators, teachers, parents, students, support personnel and members of the community.

The school Site Council provides the opportunity for representatives from the entire school community to focus on the needs of the students and to work together to plan, implement, and evaluate the educational program at the local school.

II. COMPOSITION

The School Site Council shall be composed of the principal and the following representatives.

1. Teachers selected by teachers at the school;
2. Other school personnel selected by other school personnel at the school;
3. Parents of pupils attending the school selected by such parents.

The Council shall be constituted to ensure parity between: (a) principal, classroom teachers, and other school personnel; and (b) parents or other community members selected by parents.

The classroom teachers shall comprise the majority of persons represented under (a) of this section.

III. SELECTION AND REPLACEMENT OF MEMBERS

Members of the School Site Council shall be selected by their peers in one of the following ways:

1. Electoral process of nomination and balloting within each required group;
2. Appointment by a committee of the group to be represented;
3. Open nomination of candidates by existing school and community groups;
4. Election or selection following volunteering for the position.

A public meeting should be held at each school to ensure that all interested persons have an opportunity to establish such a council.

Replacement of members may be accomplished by any of the above selection procedures.

IV. TERMS OF OFFICE

The term of representation for each Council member shall be for two years, on a rotational basis with half the membership completing a two-year term each school year.

V. DUTIES AND RESPONSIBILITIES

1. The School Site Council shall decide whether the school wants to participate in the School Improvement Program.
2. The School Site Council shall develop a three-year school improvement plan. This plan shall: 1) be based on the assessment of the school's capability to meet the educational needs of each pupil; 2) specify improvement objectives; and 3) indicate steps necessary to achieve such objectives, including outcomes.
3. The Council shall annually review the entire school improvement plan and establish the budget for this plan.
4. The Council shall have ongoing responsibility to review with other teachers, pupils, and school personnel the implementation and effectiveness of this program, and shall make modifications in the plan to reflect changing needs and priorities.
5. The School Site Council should be familiar with the plan requirements in Section 52015 of AB 65 and with the other applicable sections of this bill and the corresponding educational codes.

VI. COMMUNICATION PROCEDURES

Each School Site Council will establish and maintain a process of communication with the Board, school and community.

All school improvement plans, applications, and modifications must be taken to the Board of Trustees for approval. If a plan modification, or part of a plan, is not approved, the Board will communicate the reasons for such action to the School Site Council.

The School Site Council shall submit an annual written or oral report of its activities to the Board.

VII. ORGANIZATION

Each School Site Council shall adopt by-laws in compliance with the district policies, rules and regulations, and the applicable education codes. These rules of order should meet the specific needs and desire of the local schools and the School Site Councils.

Legal References: Ed. Code Section 46, Chapter 6, Article 2: Sections 52011-52017, 52021, 52034, and 52039

Adopted 5/3/78
Amended 5/11/83

EVALUATING EXISTING BUILDINGS

All existing school facilities will be evaluated periodically for their spatial, thermal, visual, health, sonic and aesthetic requirements in terms of the desired educational programming, and for safety and structural soundness as required by law.

In addition to the inspections provided by other district personnel, planning for major rehabilitation and remodeling will be incorporated in the school facilities master plan on a scheduled basis.

Legal Reference

Education Code: 39210-39230 Fitness for occupancy (repair, renovation, or replacement of existing buildings), 39212 Building examinations; required actions of governing board upon report of unsafe conditions

CONFLICT OF INTEREST CODE1. Terms.

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the following sections in which members and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Dixie School District.

Designated employees shall file a Statement of Economic Interests with the Dixie School District who will make the statements available for public inspection and reproduction (Government Code Section 81008). Statements for all designated employees will be retained by the Dixie School District.

2. Designated Positions.

<u>Designated Positions</u>	<u>Assigned Disclosure Category</u>
Board Members	1,2,3
Superintendent	1,2,3
Business Manager	1,2,3
Consultants	*

***Disclosure by Consultants**

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Superintendent may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that

CONFLICT OF INTEREST CODE

description, a statement of the extent of disclosure requirements. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

3. Disclosure Categories.

- Category 1: Designated employees assigned to this category must report:
Interests in real property which are located in whole or in part: (1) within the boundaries of the Dixie School District; (2) within two miles of the boundaries of the Dixie School District; or (3) within two miles of any land owned or used by the Dixie School District, including any leasehold, beneficial, or ownership interest or option to acquire such interest in real property.
- Category 2: Investments and business positions in business entities or income from sources which are contractors or subcontractors engaged in the performance of work or services of the type utilized by the Dixie School District.
- Category 3: Designated employees assigned to this category must report investments and business positions in business entities and income from sources which manufacture, sell, or provide supplies, materials, books, machinery, services, or equipment of the type utilized by the employee's department or the Dixie School District.

Adopted: 6/9/76
Revised: 2/7/79
Revised: 9/26/00

PARTICIPATION BY TRUSTEES ON THE SAN RAFAEL PUBLIC EDUCATION
FOUNDATION BOARD

To assure that there is no concern over a conflict of interest, it shall be the policy of the Dixie School District that Trustees serve on the Board of Directors of the San Rafael Public Education Foundation in an advisory capacity only.

FORMULATION OF POLICIES

The Board of Trustees shall reserve to itself the function of providing guides for the discretionary action of those to whom it delegates authority. These guides for discretionary action shall constitute the policies governing the operation of the school system. They shall be recorded in writing.

The formulation and adoption of these written policies shall constitute the basic method by which the board of Trustees shall exercise its leadership in the operation of the school system. The study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board of Trustees shall exercise its control over the operation of the school system.

The formal adoption of policies shall be recorded in the Minutes of the Board of Trustees. Only those written statements so adopted and so recorded shall be regarded as official Board policy.

Legal References will be cited on Policies where appropriate.

All Policies shall carry the original adoption date and the dates of any succeeding amendments.

Legal Reference: 35014

Adopted 7/22/59

Amended 11/11/69

Amended Legal References 3/29/77

Approved 2/28/79

FORMULATION OF ADMINISTRATIVE REGULATIONS

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the schools will be operated pursuant to Board policy. These rules and these detailed arrangements shall constitute the administrative regulations governing the schools.

The Board is responsible for reviewing all administrative regulations as part of their ongoing monitor and review process. The Board Members' copies of the Administrative Regulations Manual shall be maintained in the same manner as other manuals are maintained. The Board shall formulate and adopt administrative regulations only when required to do so by specific acts of law.

The Superintendent has been delegated the authority for formulating all administrative regulations. The Superintendent may, however, seek reaction and assistance from the administrative staff and/or other employee groups to guide him in his task. The Superintendent may suspend or modify regulations.

Administrative regulations shall be marked with the date the regulation was first adopted and with each successive amendment date.

Adopted 7/22/59
Amended 11/11/69
Revised 3/14/79

ROLE OF THE BOARD

The Governing Board is elected by the community to provide leadership and citizen oversight of the district's schools. The Board shall work with the Superintendent to fulfill its major roles, which include:

1. Setting a direction for the district.
2. Providing a basic organizational structure for the district by establishing policies.
3. Ensuring accountability.
4. Providing community leadership on behalf of the district and public education.

To fulfill these basic responsibilities, the Board shall:

1. Involve the community, parents/guardians, students, and staff in developing a common vision for the district focused on learning and achievement and responsive to the needs of all students.
2. Adopt, evaluate, and update policies consistent with the law and the district's vision and goals.
3. Maintain accountability for student learning by adopting the district curriculum and monitoring student progress.
4. Hire and support the Superintendent so that the vision, goals, and policies of the district can be implemented.
5. Conduct regular and timely evaluations of the superintendent based on the vision, goals, and performance of the district, and ensure that the superintendent holds district personnel accountable.
6. Adopt a fiscally responsible budget based on the district's vision and goals, and regularly monitor the fiscal health of the district.
7. Ensure that a safe and appropriate educational environment is provided to all students.
8. Establish a framework for the district's collective bargaining process and adopt responsible agreements.
9. Provide community leadership on educational issues and advocate on behalf of the students and public education at the local, state, and federal levels.
10. Convene as a judicial and appeals body and serve as the final decision-maker in accordance with law, Board policies, and negotiated agreements.

ROLE OF THE BOARD

The Board is authorized to establish and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law.

***Note – For additional information, please see:
Policy No. 2, Board Governance Standards
Policy No. 2121, Superintendent Governance Standards***

Adopted: May 12, 1982
Revised First Reading: December 10, 2002
Revision Adopted: January 14, 2003

DIXIE SCHOOL DISTRICT

BB 9270

Board Bylaw Conflict Of Interest

Note: The determination as to whether a conflict of interest exists must be analyzed under two separate sets of statutes: (1) the conflict of interest provisions of the Political Reform Act (PRA) (Government Code 87100-87505), detailed in the section below entitled "Conflict of Interest under the Political Reform Act," and (2) Government Code 1090-1098, detailed in the section below entitled "Conflict of Interest under Government Code 1090 - Financial Interest in a Contract." Even when a conflict does not exist pursuant to those statutes, a violation might still occur under the common law doctrine against conflict of interest; see the section below entitled "Common Law Doctrine Against Conflict of Interest."

Note: Because the law and definitions are quite complex, it is strongly recommended that districts consult with legal counsel and staff from the Fair Political Practices Commission (FPPC) as soon as a potential conflict is presented.

The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

(cf. 9005 - Governance Standards)

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

Note: The following paragraph reflects the common law definition of "relative within the third degree."

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

***Note: The Governing Board is required to adopt a conflict of interest code in compliance with Government Code 87300-87313. Board members and employees designated in the district's conflict of interest code are required by Government Code 87500 to annually file a

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Statement of Economic Interest/Form 700 to disclose any assets and income which may be materially affected by official actions. Under the PRA, there are two separate categories of Form 700 disclosure requirements. For the first category pursuant to Government Code 87302, which is applicable to most school districts, the disclosure requirements are determined by the district and set forth in the district's conflict of interest code. The second category, pursuant to Government Code 87200, is only applicable to Board members and designated employees who "manage public investments"; see section below entitled "Additional Requirements for Boards that Manage Public Investments." Those Board members and designated employees, referred to by the FPPC as Government Code 87200/Article 2 filers, must file broader disclosure statements pursuant to the disclosure requirements specified in law and FPPC regulation.***

Note: Pursuant to Government Code 87303, the district's conflict of interest code must be approved by the appropriate code reviewing body. For districts located entirely in one county, the code reviewing body is the board of supervisors of the county in which the district is located. The FPPC is the code reviewing body for those school districts located in more than one county.

Note: Pursuant to 2 CCR 18730, the requirements of the Government Code are satisfied if a district adopts a conflict of interest code that incorporates 2 CCR 18730 by reference, along with a list of designated positions and disclosure categories. The accompanying exhibit (E 9270) contains a sample resolution that includes an appendix with designated positions and disclosure categories which, once adopted by the Board, will comprise the terms of the district's conflict of interest code that should be submitted to the code reviewing body.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

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When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

(cf. 9320 - Meetings and Notices)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

(cf. 4117.2/4217.2/4317.2 - Resignation)

(cf. 9222 - Resignation)

Conflict of Interest under the Political Reform Act

Note: The FPPC has adopted an eight-step analysis, detailed in Government Code 87100-87500, 2 CCR 18700-18755, and interpretive opinions, to determine whether a conflict of interest exists under the PRA. When such a conflict exists, the affected Board member must disclose the interest and disqualify himself/herself from participating in the decision, as specified below. Because Family Code 297.5 grants a registered domestic partner the same rights, protections, and benefits as a spouse under state law, analysis of a conflict of interest with regards to a Board member's spouse is also applicable to a registered domestic partner.

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

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***Note: 2 CCR 18705 permits a Board member who is financially interested in a contract to participate in making a decision on the contract if (1) he/she discloses the existence of the

conflict and describes with particularity the nature of his/her economic interest in the contract; (2) gives a summary description of the circumstances under which he/she believes the conflict may arise; and (3) either he/she, another Board member, or a district employee discloses the legal basis for concluding that no alternative source of decision exists for the district. In general, this rule will permit a district to acquire an essential supply or service. CSBA strongly recommends that legal counsel be consulted when situations arise involving the rule of necessity, as strict compliance is required.***

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

Additional Requirements for Boards that Manage Public Investments

Note: The following optional section is for use only by districts in which the Board and/or designated employees are considered to be "officials who manage public investments" and who are required to file a full financial disclosure statement in accordance with Government Code 87200. It should be deleted by all other districts. See the accompanying exhibit for further information.

Note: According to the FPPC, officials who manage public investments are boards or designated employees who manage the investment of district surplus or special reserve funds in permitted securities and investments pursuant to Education Code 41015. Those boards that direct the investment of these funds, formulate or approve policies for the investment of these funds, even if they delegate day-to-day investment decisions to staff, or approve investment transactions involving these funds are considered officials who manage public investments.

Note: The Board does not manage public investments when the district does not have any surplus or special reserve funds to invest and merely deposits all funds it receives (1) in the county treasury pursuant to Education Code 41001-41002.5 or (2) in a fund where a Tax and Revenue Anticipation Note (TRANs) is issued. Board members and superintendents in these types of situations are not considered to have discretion regarding the investment of the district's money and are therefore not officials who manage public investments.

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18707)

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1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

(cf. 3430 - Investing)
(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

***Note: Pursuant to Government Code 1090, if a Board member has a financial interest in a contract, it is an absolute bar for that district to enter into the contract. The Attorney General has opined in 69 Ops.Cal.Atty.Gen. 255 (1986) that, unlike the PRA, the prohibitions in Government Code 1090 cannot be resolved by having the financially interested Board member abstain from participating in the matter. However, there are two categories of exceptions. If a financial interest meets the definition of a "noninterest" as specified in Government Code 1091.5, then the restrictions in Government Code 1090 do not apply and the district can enter into the contract.

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Secondly, if a Board member's interest is deemed a "remote interest" pursuant Government Code 1091, then the district can enter into the contract as long as certain conditions are satisfied, as specified below.***

Note: While the prohibitions in the PRA only apply to designated employees, the prohibitions in Government Code 1090 apply to all district employees and consultants. California appellate courts have ruled in McGee v. Balfour Beatty Construction LLC and Davis v. Fresno Unified School District that Government Code 1090 applies to consultants, including corporate consultants, who fill the roles and positions of officers, employees, and agents of the district. However, the Attorney General has opined in 63 Ops.Cal.Atty.Gen. 868 (1980) that an employee's financial interest would not prohibit the district from entering into a contract as long as the employee has not participated in the making of the contract, such as in discussions and planning, as detailed below.

Note: Government Code 1090 does not define financial interest, but courts have held that, for the purposes of this statute, the definition of "financial interest" is not the same as the definition in the PRA which requires a "material financial effect" in order for a conflict to exist. Because the determination of whether a financial interest exists involves a review of statutes, court decisions, and Attorney General opinions as they apply to the particular facts at issue, the analysis can be complex and legal counsel should be consulted as appropriate.

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

Note: The district may enter into a contract when a Board member's interest is a "remote interest" as defined in Government Code 1091. Generally, this issue arises when the district wishes to enter into a contract with the Board member's employer. When the conditions specified in Government Code 1091 are satisfied (e.g., Board member is an employee of a nonprofit organization, the employer has at least 10 employees, and the Board member has been employed more than three years), then the district may enter into the contract as long as the affected Board member discloses the remote interest and abstains from the matter.

Note: Board members who willfully fail to disclose a remote interest in a contract may be subject to a fine or imprisonment pursuant to Government Code 1097.

A Board member shall not be considered to be financially interested in a contract in which he/she has only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member

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shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract. (Government Code 1091)

***Note: Pursuant to Government Code 1091.5, certain financial interests are defined as "noninterests," meaning a conflict of interest does not exist and the district can enter into the contract. One of the noninterests listed in Government Code 1091.5 is when a Board member's

spouse has been employed by the district for at least one year prior to the Board member's election or appointment. If the spouse has not been employed by the district for at least one year prior to the Board member's election or appointment, the exception does not apply and Government Code 1090 prohibits the district from entering into a new contract to hire the spouse. (80 Ops.Cal.Atty.Gen. 320 (1997))***

Note: Attorney General opinions and case law have further clarified the application of this noninterest exception when a previously employed spouse changes to a different position during the Board member's term. Generally, these opinions have held that a lateral transfer or change of classification that does not require Board approval (e.g., second year probationary teacher automatically achieving permanent status, step increase) is the same employment not requiring a new contract and thus constitutes a noninterest. (92 Ops.Cal.Atty.Gen. 26 (2009), 87 Ops.Cal.Atty.Gen. 23 (2004)) However, when a new contract is involved (e.g., promotion from classroom teacher to principal, substitute employee becoming a probationary employee), the exception in Government Code 1091.5 does not apply and the action would be prohibited under Government Code 1090 because Board approval of the contract is required. (Thorpe v. Long Beach Community College District, 69 Ops.Cal.Atty.Gen. 255 (1986))

Note: Because this area of law is complex, it is strongly recommended that district legal counsel be consulted if a Board member's spouse is an employee of the district or when analyzing whether an interest is a noninterest or remote interest.

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

Common Law Doctrine Against Conflict of Interest

***Note: Even when there is not a conflict pursuant to the PRA (Government Code 87100-87505) or Government Code 1090, the Attorney General has found that special situations

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may still exist under the common law doctrine against conflict of interest which, unlike the statutes, extends to noneconomic interests. In 92 Ops.Cal.Atty.Gen. 19 (2009), the Attorney General opined that a redevelopment board member should abstain from voting on a loan agreement where the recipient of the loan was a corporation owned by the board member's adult son. Although the board member was not financially interested in the contract under the PRA or Government Code 1090, the Attorney General determined that abstention was necessary in order to avoid a conflict between the member's official and personal interests and to avoid the appearance of impropriety.***

Note: Districts are encouraged to consult legal counsel if situations arise that raise the question as to whether such a conflict exists.

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

Incompatible Offices and Activities

Note: Government Code 1099 and 1126 prohibit Board members and employees from engaging in any employment or activity which is inconsistent, incompatible, in conflict with, or inimical to their duties with the district. Government Code 1126 mandates the district to adopt procedures regarding this prohibition. See BP 4136/4236/4336 - Non-school Employment for language implementing this mandate relative to employees.

Note: Attorney General opinions have indicated that it would be incompatible for Board members to serve on other elected or appointed boards, councils, or commissions that have interests which may conflict with the interests of the district (85 Ops.Cal.Atty.Gen. 60 (2002); 68 Ops.Cal.Atty.Gen. 171 (1985); 65 Ops.Cal.Atty.Gen. 606 (1982)). If a Board member is sworn into an incompatible office, then his/her position in the prior office is automatically terminated.

Note: Pursuant to Education Code 35107, an employee of a school district may not be sworn into office as an elected or appointed member of that district's Board unless he/she resigns as an employee. If the employee does not resign, the employment automatically terminates when he/she is sworn into office. See BB 9220 - Governing Board Elections.

Note: The determination as to whether an activity or office is incompatible is complex and requires a case-by-case analysis of the particular activities or duties of the office; therefore, it is recommended that district legal counsel be consulted as appropriate.

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties

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as an officer of the district. (Government Code 1099, 1126)

(cf. 4136/4236/4336 - Non-school Employment)

Gifts

***Note: Pursuant to 2 CCR 18730, the gift limitation is currently \$460. This amount is adjusted in odd-numbered years by the FPPC. Pursuant to Government Code 89503, Board members and candidates are subject to gift limitation for gifts from all sources except when

exempted by law or regulation. For those Board members who file a Form 700 based on the disclosure categories specified in the district's conflict of interest code pursuant to Government Code 87302 (see the accompanying exhibit), the gift limit is only applicable as to those individuals and entities that are disclosed on the Form 700.***

Note: Several exceptions exist within the Government Code's definitions of gifts, income, interest in real property, and investment; see Government Code 82028, 82030, 82033, and 82034. If questions arise as to such exceptions, the district may seek clarification from the FPPC through email to advice@fppc.ca.gov or consult legal counsel.

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

Note: Board members and designated employees may, in the circumstances described in Government Code 89506, receive payments, advances, or reimbursements for travel and related lodging and subsistence, which will not be subject to the gift limit set in Government Code 89503.

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation, except when: (Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.

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2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in items #1 and 2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

Legal Reference:

EDUCATION CODE

1006 Qualifications for holding office

35107 School district employees

35230-35240 Corrupt practices, especially:

35233 Prohibitions applicable to members of governing boards

41000-41003 Moneys received by school districts

41015 Investments

FAMILY CODE

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297.5 Rights, protections, and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

81000-91014 Political Reform Act of 1974, especially:

82011 Code reviewing body

82019 Definition, designated employee

82028 Definition, gift

82030 Definition, income

82033 Definition, interest in real property

82034 Definition, investment

87100-87103.6 General prohibitions

87200-87210 Disclosure

87300-87313 Conflict of interest code

87500 Statements of economic interests

89501-89503 Honoraria and gifts

89506 Ethics; travel

91000-91014 Enforcement

PENAL CODE

85-88 Bribes

REVENUE AND TAXATION CODE

203 Taxable and exempt property - colleges

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:

18700-18707 General prohibitions

18722-18740 Disclosure of interests

18750.1-18756 Conflict of interest codes

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)

92 Ops.Cal.Atty.Gen. 19 (2009)

89 Ops.Cal.Atty.Gen. 217 (2006)

86 Ops.Cal.Atty.Gen. 138(2003)

85 Ops.Cal.Atty.Gen. 60 (2002)

82 Ops.Cal.Atty.Gen. 83 (1999)

81 Ops.Cal.Atty.Gen. 327 (1998)

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80 Ops.Cal.Atty.Gen. 320 (1997)
69 Ops.Cal.Atty.Gen. 255 (1986)
68 Ops.Cal.Atty.Gen. 171 (1985)
65 Ops.Cal.Atty.Gen. 606 (1982)
63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

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

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

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

First Reading: February 14, 2017

Second Reading and Adoption: March 14, 2017

POLICY ADOPTION

The Board of Trustees reserves the function of providing policies to guide the actions of those to whom it delegates authority. These policies shall be recorded in writing.

The formulation and adoption of these written policies shall constitute one method by which the Board of Trustees shall exercise its leadership in the operation of the school system.

In formulating policies, the Board shall adopt general principles and statements of intent. The Superintendent and his professional staff shall take action therewith. Application of such policies to individual problems and tasks is an administrative function to be performed by the Superintendent. The Superintendent shall, in turn, when necessary, or when directed by the Governing Board, prepare written regulations to insure the implementation of Board policy.

The Superintendent, in cooperation with staff and the Board, shall recommend policies for adoption and recommend revision of existing policies. Policies and/or revisions may be proposed by any member of the Board, by any lay group or organization, or by any citizen.

Specific policy proposals and suggested amendments to or revisions of existing policies shall be submitted to all members of the Board in writing prior to a regular scheduled Board meeting. No policy or amendment or revision shall be adopted unless it has been discussed at a meeting prior to adoption.

It shall be the duty of the Board to reappraise its policies periodically in view of the changing needs of the community and schools.

BYLAW ADOPTION

Rules (bylaws) necessary for the internal operation of the Board of Trustees shall be formulated by the Board. Bylaws may be proposed by members of the Board or the Superintendent. Proposed bylaws are subject to adoption by a majority vote of all members of the Board, with written notification of the proposal being made prior to a regularly scheduled Board meeting.

The bylaws of the Board shall be subject to amendment or repeal upon a majority vote of all members of the Board, with written notification of the proposed amendment or repeal being made prior to a regularly scheduled Board meeting.

No bylaw or amendment or revision shall be adopted unless it has been discussed at a meeting prior to adoption.

PUBLIC PARTICIPATION IN BOARD MEETINGS

The Board encourages public participation at Board Meetings. All meetings of the Board in which regular business is transacted shall be open to the public, including any employees or students who wish to attend. The Board, however, reserves the right to meet privately to discuss those matters properly considered in closed session (see Policy #9344).

Any member of the public, or representative of a community, staff, or student organization, may request an opportunity to address the Board on a given topic. All such requests will be acknowledged. Individuals to be heard by the Board will be asked to observe time limits.

Nothing in this policy precludes the taking of testimony at regularly scheduled meetings on matters not on the agenda which any member of the public may wish to bring before the Board, provided that no action is taken by the Board on such matters at the same meeting at which such testimony is taken. Nothing in this paragraph shall be deemed to replace or limit further discussion on the same subject matter at a subsequent meeting.

Legal Reference: Education Code, Section 35145, 35145.5

REGULAR MEETINGS

The Board shall, at the annual organizational meeting, set the calendar of meeting dates for the year, including time and location.

Legal Reference: 35140, 35143

Adopted 2/28/79
Reviewed 1/27/82

SPECIAL BOARD MEETINGS/ADJOURNED BOARD MEETINGS

Special meetings may be called by the president of the Board or, in his/her absence from the district, by the clerk of the Board. Any three members of the Board may request a special meeting and, upon such request, the president shall call the meeting.

All special meetings shall be preceded by a written notice to each member of the Board at least 24 hours in advance of the meeting date and time. Such meetings shall be open to the public, and the press shall be notified. In the event of emergencies, exceptions may be made to written notification, in accordance with law.

The written notice shall specify the items of business to be considered at the special meeting. Under law, no action may be taken by the Board on any other item of business.

Any Board meeting may be adjourned to a designated place and time when deemed advisable by the Board.

Public notification of adjourned meetings, as required by law, will be in accordance with that for special meetings.

Legal References

Education Code: Section 35144

Government Code: Sections 54953, 54955, 54956

CLOSED SESSIONS

The Board reserves the right to recess into closed session during any regular or special meeting for discussion pertaining to the following:

1. The expulsion, suspension, or other discipline of any student, unless a public meeting is requested by the student's parents or legal guardian.
2. The appointment, employment, or termination of any staff member or community volunteer.
3. Complaints brought against any person or staff member, unless the person charged requests a public meeting.
4. Consultations and discussions with the Board's representative regarding matters which are subject to negotiation and instructing the representative as to the Board's position on these matters. (Government Code 3549.1).
5. Discussion with state conciliator or mediator who has intervened in negotiation proceedings (Government Code 3549.1, 54957.6).
6. Legal matters that come within attorney/client privilege.
7. Matters where a public hearing would lead to the giving out of information concerning students which would be in violation of Sections 39146, 49073 and 49076 of the Education Code, relating to privacy of student records, or other matters where state laws or regulations require or permit a closed session.

Such session shall be closed to the public and press. Minutes taken at such meetings shall remain secret so long as their publication would defeat the purpose of the closed session. That such a session was held shall be recorded in the minutes of the public meeting being held. Members and any persons attending the sessions are bound by law not to disclose the topic or details of discussion at closed sessions.

The superintendent, or his/her designated representative, shall attend all closed sessions, except those which pertain to the superintendent's employment. The Board may invite staff members or others to attend such sessions at its discretion.

No official action shall be taken at closed sessions, except such as may be required by law. To take final action on any other matter discussed, the Board shall reconvene in open session.

Legal References:

Education Code: Sections 35146, 44959.5, 49073-49078

Government Code: Sections 3540, 3549.1, 53200, 54950, 54957.6

Adopted 7/11/79

Revised 2/10/82

MINUTES OF BOARD MEETINGS

An accurate record of all public meetings of the Board shall be kept by the Board Secretary. These minutes shall include:

1. A record of all motions made, together with the names of the members making and seconding the motion.
2. A record of all actions taken by the Board, with the vote of each member recorded when requested.
3. Resolutions in full, however, lengthy resolutions may be omitted from the body of the minutes provided they are appended thereto.
4. A record of the disposition of all matters on which the Board considered, but did not take, action.
5. A record of the monetary amount involved when the Board takes any action that has financial implications.

Minutes need not include reports and documents related to a motion or resolution if they are referred to and identified by title and date.

Copies of the minutes shall be sent to all Board members along with the materials for the meeting at which they will be approved.

The minutes shall become permanent records of the Board and shall be in the custody of the Board secretary. They shall be available for public inspection at such times as the district offices are open.

Legal References: Education Code, Sections 35145, 35163, 35164

Adopted 7/11/79
Amended 2/24/82

BOARD MEETING AGENDAS

The Superintendent shall prepare an agenda for all meetings of the Board in consultation with the Board President.

Guidelines for Agenda Construction

The agenda shall be constructed so as to assist the Board in carrying out its routine duties expeditiously, permit it to deal with high priority items in depth, and to conduct its deliberations on topics of public interest at an hour convenient to the public, and those closed sessions pertaining to individuals at an hour convenient for their participation.

Request for Placing Items on Agenda

Items of business may be placed on the agenda by any Board member, staff member, organization, or private citizen. Requests must be made in writing to the Superintendent, in accordance with the procedures outlined in the District Regulation #9431 - Agenda (Submission of Items).

Distribution of Agenda

The agenda shall be delivered to each Board member, along with other meeting materials, four days prior to each regular meeting.

A copy of the agenda for regular meetings shall be made available for public inspection at least 48 hours prior to the meeting; the agenda for special meetings shall be available at least 24 hours prior to the meeting. Copies of the agenda will be widely distributed to various groups within the district.

The agenda shall be posted at the place of the meeting; copies shall be made available to those in attendance upon request.

Approval/Alteration of Agenda

The Board shall formally adopt the agenda at the beginning of each regular meeting or alter it by a majority vote.

Agenda File

A file of Board agenda shall be kept in the district offices for each fiscal year.

Legal References: Education Code 35145 (b) and 35145.5

Adopted 8/2/61

Revised 6/27/79

Revised 3/10/82

PUBLIC NOTICE AND PRESENTATION OF NEGOTIATIONS PROPOSALS

1. All initial proposals of exclusive representatives of the Bargaining Unit and of the Governing Board, which relate to matters within the scope of representation under the Educational Employment Relations Act, shall be referred to as an agenda time and shall be presented at a public meeting of the Governing Board.
2. Copies of all initial proposals that have been presented shall be made available to the public.
3. After the public has had an opportunity to become informed regarding the proposals the public shall be given the opportunity to comment at a public meeting of the Governing Board.
4. Subsequent to the public's opportunity to express itself the Governing Board, at a public meeting, shall adopt its initial proposals.
5. Meeting and negotiating shall not commence until a reasonable time has elapsed after the initial presentations at a public meeting of the Governing Board and until after the Governing Board has adopted its initial proposals.
6. New subjects of meeting and negotiating arising after the presentation of initial proposals shall be made public within 24 hours by posting at the same locations where agendas are posted. If a vote is taken on such new subjects by the Governing Board, the vote by each member voting shall also be made public within 24 hours either at a meeting of the Governing Board or by posting at the same locations where agendas are posted.

SCHOOL DISTRICT GOVERNING BOARD ELECTIONS

Governing Board elections shall be conducted in accordance with the Education Code and the State Elections Code.

The Dixie Governing Board has direct control over the following requirements relating to Governing Board elections:

1. The actual pro-rated costs of printing, handling and translating Candidates' Statements shall be levied against each candidate availing himself of such service.
2. No additional materials shall be sent on behalf of the candidate with the sample ballot and voter's pamphlet.
3. In the case of a tie vote in a governing board member election, the governing board will determine the winner by lot. The governing board shall notify the candidates who have received the tie votes to appear before it either personally or by a representative at a time and place designated by the governing board. The governing board shall at that time and place determine the winner or winners by lot.

An election calendar has been abstracted from the Election Codes for easy reference and is available from the Superintendent's office.

Education Code Section 5016

Adopted 5/26/76

Amended 11/10/76

Amended 3/12/80

Amended 3/24/82

RIGHT TO ADD, CHANGE, OR DELETE POLICIES IN EMERGENCIES

The Board maintains the right to add new policies and change or delete existing policies in the event of any emergency, disturbance, natural disaster, or government proclamation that in the judgement of the Board would preclude the normal application of existing policies in the day to day operation and management of the District. Such additions, changes, or deletions could be effected without meeting the provisions of Policy 9310, Policy Adoption.

BOARD MEMBER REIMBURSEMENT

Board members are encouraged and expected to attend meetings and activities related to District needs, to obtain training and information and, in some cases, to represent the Board and the District.

Subject to the guidelines set forth in Regulation No. 9515, Board members may be reimbursed for reasonable expenses incurred in attending any meetings or in making any trips on official business of the District when so authorized in advance by the Board.

Education Code: 35044

Adopted:	October 13, 1998
Amended (First Reading):	February 24, 2004
Amended (Adopted):	March 9, 2004