

UPDATE 99

EXPLANATORY NOTES

BBD BOARD INTERNAL ORGANIZATION ATTORNEY

Recommend adding the board president to the list of individuals who may seek advice or information from the district's legal counsel.

In accordance with the written contract, individual **Board members**~~trustees~~ shall channel legal inquiries through the Superintendent, **Board President**, or Board's **designee**, as appropriate, when **seeking** advice or information from the District's legal counsel ~~is sought~~.

BP ADMINISTRATIVE REGULATIONS

Recommended revisions regarding administrative regulations are to reflect common district policies. At DEVELOPMENT, the changes clarify that the superintendent or designee will also resolve any discrepancies among conflicting regulations.

The provision requiring an official copy of the administrative regulations to be kept in the superintendent's office is recommended for deletion.

DEVELOPMENT

The Superintendent and administrative staff shall be responsible for developing and enforcing procedures for the operation of the District. ~~Procedures must be consistent with Board policy and law and shall be designed to promote the achievement of District goals and objectives.~~

These procedures shall constitute the administrative regulations of the District and shall consist of **guidelines**~~guides~~, handbooks, **manuals**, and forms, ~~and any as well as~~ other documents defining standard operating ~~procedures, procedure and designated "Regulations."~~

The superintendent or designee shall ensure that~~All~~ administrative regulations **are kept up to date and are consistent**~~shall be under the direction of the Superintendent; variations from defined procedures shall be~~ with **Board Policy**. **The Superintendent or designee shall resolve any discrepancies among conflicting administrative regulations. In case of conflict between administrative regulations and policy, policy shall prevail.**

NO BOARD ACTION

~~the prior approval of the Superintendent.~~ Administrative regulations are subject to Board review but shall not be adopted by the Board. ~~In case of conflict between the administrative regulations and policy, policy shall prevail.~~

REVISIONS Administrative regulations may be amended at any time by the Superintendent or designated staff, with the prior approval of the Superintendent.

OFFICIAL COPY The official copy of all documents constituting administrative regulations shall be kept in the Superintendent's office, and the Superintendent or designee shall be responsible for their accuracy. If discrepancies occur among different copies of administrative regulations distributed throughout the District, the official copy shall be regarded as authoritative.

AVAILABILITY All administrative regulations, including manuals, guides, handbooks, and forms, shall be kept up-to-date and shall be made accessible to staff, **students**, and the public as required by **law or Board policy**. ~~the Public Information Chapter of the Government Code. [See GBA]~~

CFEA PAYROLL PROCEDURES SALARY DEDUCTIONS AND REDUCTIONS

Recommended that policy be deleted.

CK SAFETY PROGRAM/RISK MANAGEMENT

Recommended revisions are to reflect common district practice and to streamline policy. Recognizing that it is impractical to include the details of the district's safety and risk management programs in board policy, recommended policy test gives broad authority to the superintendent to develop, implement, and promote comprehensive safety programs.

COMPREHENSIVE SAFETY PROGRAMS

~~The District shall take every reasonable precaution regarding the safety of its students, employees, visitors, and all others with whom it conducts business.~~ The Superintendent or designee shall be responsible for developing, implementing, and promoting a comprehensive safety program.

~~The general areas of responsibility include, but are not limited to, the following:~~

EMERGENCY STRATEGIES

~~1. Guidelines and procedures for responding to emergencies.~~

LOSS PREVENTION STRATEGIES

~~2. Program activities intended to reduce the frequency of accident and injury, including:~~

~~a. Inspecting work areas and equipment.~~

~~b. Training frontline and supervisory staff.~~

~~c. Establishing safe work procedures and regulations.~~

~~d. Reporting, investigating, and reviewing accidents.~~

~~e. Promoting responsibility for District property on the part of students, employees, and the community.~~

LOSS CONTROL STRATEGIES

~~3. Program activities intended to reduce the ultimate cost of accidents and injuries through investigation and documentation.~~

LOSS FINANCING STRATEGIES

~~4. Program activities that identify and develop prudent methods of financing loss costs on an annual basis, including the purchase of commercial insurance, self-insured retentions, and risk pooling.~~

VEHICULAR SAFETY STRATEGIES

~~5. Driver education programs~~ **designed to address the,** when available.

~~6. Vehicle safety~~ **of students,** programs.

~~7. Traffic safety programs and studies related to~~ employees, visitors ~~students,~~ and **all others with whom** the community.

INFORMATION MANAGEMENT

~~The Superintendent or designee shall be responsible for the~~ **District conducts its business** collection, storage, and analysis of relevant operational and historical data required to develop sound procedures for implementation and operation of the comprehensive safety program.

**DAC EMPLOYMENT OBJECTIVES
OBJECTIVE CRITERIA FOR PERSONNEL DECISIONS**

Recommended this policy be deleted. The policy was originally required by Civil Order 5281, which is no longer applicable to our district.

**EHDC ALTERNATIVE METHODS FOR EARNING CREDIT
CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION**

Recommended changes regarding credit by examination without prior instruction. Recommended deleting provisions addressing selection of test dates, requests for alternate examinations or test dates, fees, and award of credit.

EXAMINATION FOR ACCELERATION TEST SELECTION OR COURSE CREDIT

~~If~~ ~~The Superintendent or designee shall be responsible for the development or selection of tests~~ a student **in grades 1-12 wishes** ~~may use to earn course credit or~~ accelerate to the next grade level **or earn course credit** without **having received** prior instruction in ~~the~~ **a course or** grade level **or course, the District shall offer opportunities in accordance with state law and State Board rules for the student to take a Board-approved examination for this purpose. Each** ~~examination shall thoroughly test the essential knowledge and skills in the applicable course or grade level.~~

~~The Superintendent or designee shall establish a schedule of dates, in accordance with law, when examinations for acceleration shall be administered and shall ensure that the dates are published in appropriate District publications or on the District's Web site.~~

SPECIAL REQUESTS

~~The District may deny a parent's or student's request for an alternative examination or alternative date.~~

FEES

~~The District shall not charge for an examination for acceleration administered on the published dates or alternative dates.~~

~~However, the student's parent shall pay for an alternative examination approved by the District.~~

CREDIT APPROVAL

~~The Superintendent or designee shall award course credit or approve acceleration on the basis of an examination for acceleration, in accordance with State Board rules.~~

**FFH STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION**

Recommended clarification to clarify that the TITLE IX COORDINATOR also handles reports of gender-based harassment and to require that the district give NOTIFICATION OF THE OUTCOME of an investigation to the relevant parties.

Recommended changes at INVESTIGATION OF THE REPORT explain how the district should proceed with its investigation when a criminal or regulatory investigation is occurring at the same time.

At CONCLUDING THE INVESTIGATION, we have clarified that a pending agency investigation could constitute an extenuating circumstance that would prevent the district from completing the investigation within 10 business days.

Recommended change at CORRECTIVE ACTION replaces a reference to harassment with prohibited conduct for consistency with the terminology throughout the policy.

Language at APPEAL has been amended to clarify that either student or parent may appeal the outcome of an investigation.

TITLE IX COORDINATOR

Reports of discrimination based on sex, including sexual harassment, **or gender-based harassment**, may be directed to the Title IX coordinator. The District designates one person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended.

INITIAL ASSESSMENT

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District ~~official~~ shall immediately ~~authorize~~ **or** undertake an investigation, **except as provided below at CRIMINAL INVESTIGATION**. ~~regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending. If not, the District official shall refer the complaint for consideration under FFI.~~

If ~~an investigation is required in accordance with this policy,~~ the District official **determine that** ~~shall also determine whether~~ the allegations, if proven, would **not** constitute **prohibited conduct** ~~bullying~~, as defined by

this policy, the District official shall refer the complaint for consideration under FFI.

INTERIM ACTION

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending~~If appropriate,~~ the District shall promptly take interim action calculated to address prohibited conduct or bullying ~~prior to~~**during** the ~~completion~~**course** of ~~the District's~~**an** investigation.

DISTRICT INVESTIGATION

The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

CRIMINAL INVESTIGATION

If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The district shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation

CONCLUDING THE INVESTIGATION

Absent extenuating circumstances, **such as a request by a law enforcement or regulatory agency for the District to delay its investigation**, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

NOTIFICATION OF OUTCOME

Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

CORRECTIVE ACTION

Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where **prohibited conduct**~~harassment~~ has occurred, and reaffirming the District's policy against discrimination and harassment.

APPEAL

A student **or parent** who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student **or parent** shall be informed of his or her right

to file a complaint with the United States Department of Education Office
for Civil Rights.