

**PIEDMONT UNIFIED SCHOOL DISTRICT
Board Policy**

Community Relations

BP 1000

CONCEPTS AND ROLES

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

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

(cf. 1020 - Youth Services)

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

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

(cf. 0420.5 - School-Based Decision Making)

(cf. 0510 - School Accountability Report Card)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1240 - Volunteer Assistance)

(cf. 1312 - Complaints Concerning the Schools)

(cf. 1330 - Use of School Facilities)

(cf. 6020 - Parent Involvement)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 9323 - Meeting Conduct)

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

(cf. 1112 - Media Relations)

(cf. 1160 - Political Processes)

(cf. 9000 - Role of the Board)

Legal Reference:

EDUCATION CODE

35160 Authority of Boards of Education

35172 Promotional activities

Adopted: November 10, 1999

**Piedmont Unified SD
Board Policy**

BP 1100
Community Relations

Communication With The Public

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

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

As part of the Board's continuing commitment to advance education, it shall endeavor to establish and maintain effective communications with the community by:

1. Promoting school public relations at both school and district level.
2. Providing a variety of ways for people to become involved in their schools so they can express their interest in and concern for their schools and students.
3. Anticipating the information needed by the public and providing the information in timely, understandable and appropriate ways.
4. Facing controversial issues squarely and presenting the public with the information it needs to understand them.

Legal Reference:
EDUCATION CODE
35172 Promotional activities

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PIEDMONT UNIFIED SCHOOL DISTRICT
Board Policy

Community Relations

BP 1112

Media Relations

The Board of Education respects the public's right to information and recognizes that the media significantly influences the public's understanding of school issues and can greatly assist the district in informing the community about school programs and issues. Media representatives are welcome at all Board meetings and shall receive meeting announcements and agendas upon request.

(cf. 9320 - Meetings and Notices)

The Superintendent or designee and principal or designee of each school may provide the media with information related to district programs and needs, student awards, school accomplishments and events of special interest. All media inquiries shall be routed to the Superintendent, principal or designee. Spokespersons designated to speak to the media on behalf of the district include the Board president, Superintendent and Communication and Information Coordinator. Other Board members and staff may be asked by the Superintendent or designee to speak to the media on a case-by-case basis. The district shall not release information which is private or confidential as identified by law and Board policy or administrative regulation.

(cf. 0510 - School Accountability Report Card)

(cf. 1100 - Communication with the Public)

(cf. 1160 - Political Processes)

(cf. 1340 - Access to District Records)

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

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 9010 - Public Statements)

During a disturbance or crisis situation, the first priority of school staff is to address the situation. Media inquiries shall be routed to the Superintendent or designee, who shall make an official statement at his/her discretion.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergency and Disaster Preparedness Plan)

Media representatives shall register immediately upon entering any school building or grounds when school is in session.

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

Media representatives who wish to interview or photograph students at school are strongly encouraged to make prior arrangements with the principal so as to facilitate smooth operations, prevent delay, and preclude the possibility of disturbances on campus. This also allows the principal to arrange for interview times that will not

interfere with students' class attendance.

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

(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes

32212 Classroom interruptions

35144 Special meetings

35145 Public meetings

35145.5 Agenda; public participation

35146 Closed sessions

35160 Authority of Boards of Education

35172 Promotional activities

PENAL CODE

627-627.10 Access to school premises

ATTORNEY GENERAL OPINIONS

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

Adopted: November 10, 1999

**Piedmont Unified SD
Board Policy**

BP 1150
Community Relations

Commendations And Awards

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

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

Legal Reference:

EDUCATION CODE

35160 Authority of Boards of Education

35160.1 Broad authority of school districts

44015 Awards to employees and students

Policy PIEDMONT UNIFIED SCHOOL DISTRICT

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Piedmont Unified SD Board Policy

BP 1160

Community Relations

Political Processes

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 9000 - Role of the Board)

(cf. 9010 - Public Statements)

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

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

Legislation

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

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

(cf. 1020 - Youth Services)

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

(cf. 7131 - Relations with Local Agencies)

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

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

Ballot Measures/Candidates

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

measures of importance to education.

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

(cf. 9323 - Meeting Conduct)

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

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

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

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

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

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

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

Political Forums

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

(cf. 1330 - Use of School Facilities)

Legal Reference:

EDUCATION CODE

7054 Use of district property

7054.1 Requested appearance

7055 Local rules

7056 Soliciting or receiving political funds

7058 Use of forum

35160 Authority of Boards of Education

35172 Promotional activities

GOVERNMENT CODE

50023 Attending legislature to support or oppose legislation

53060.5 Attendance at legislative body; expenses

54953.5 Right to record proceedings
54953.6 Broadcasts of proceedings
81000-91015 Political Reform Act

COURT DECISIONS

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

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

League of Women Voters v. Countywide Criminal Justice Coordination Committee,
(1988) 203 Cal.App.3d 529, 250 Cal. Rptr. 161, rev.den.

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

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

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

ATTORNEY GENERAL OPINIONS

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

Adopted: November 10, 1999

**Piedmont Unified SD
Board Policy**

BP 1220

Community Relations

Citizen Advisory Committees

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

The Board shall establish citizen advisory committees to consider school problems and issues as the need arises or when required by law. Such committees shall serve in a strictly advisory capacity; they may make recommendations regarding Board policy, but their actions shall not be binding on the Board. The Board may dissolve any advisory committees not required by law at any time.

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

Legal Reference:

EDUCATION CODE

- 11503 Parent involvement program
- 35147 School site councils and advisory committees
- 35172 Promotional activities
- 52012 School site council
- 52065 American Indian advisory committee
- 52176 Advisory committees (LEP program)
- 52208 Parent participation (GATE)
- 52852 Site council, school-based program coordination
- 54724 Site council, motivation and maintenance program
- 56190-56194 Community advisory committee, special education

GOVERNMENT CODE

- 820.9 Members of local public boards not vicariously liable
- 54950-54963 The Ralph M. Brown Act

Policy PIEDMONT UNIFIED SCHOOL DISTRICT

adopted: November 10, 1999 Piedmont, California

**Piedmont Unified SD
Administrative Regulation**

AR 1220
Community Relations

Citizen Advisory Committees

In creating a new citizen's advisory committee, the Board shall:

1. Define the committee assignment.
2. Set a date for a preliminary and final report if applicable.
3. Appoint a staff and/or Board liaison member.

Committees Subject to Brown Act Requirements

The following citizen advisory committees shall comply with open meeting, notice and public participation requirements of law:

1. Advisory committees created by Board action
2. Advisory committees established pursuant to Education Code 56190-56194 related to special education
3. Advisory committees established pursuant to Education Code 52208 related to gifted and talented education

Committees Not Subject to Brown Act Requirements

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

1. School site councils established pursuant to Education Code 52012, 52852 or 54724
(cf. 0420 - School Plans/Site Councils)
2. Any advisory committee established pursuant to Education Code 52065
3. Any advisory committee established pursuant to Education Code 52176 related to programs for students of limited English proficiency
(cf. 6174 - Education for English Language Learners)
4. Parent advisory committees established pursuant to Education Code 62002.5 related to bilingual education
5. Committees established pursuant to Education Code 11503 related to parent

involvement

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

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

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

Any materials provided to a school site council shall be made available to any member of the public upon request. (Education Code 35147)

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

Regulation PIEDMONT UNIFIED SCHOOL DISTRICT
approved: November 10, 1999 Piedmont, California

**PIEDMONT UNIFIED SCHOOL DISTRICT
BOARD POLICY**

Community Relations

BP 1240

VOLUNTEER ASSISTANCE

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

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

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

(cf. 5144 - Discipline)

(cf. 6144 - Controversial Issues)

The Board encourages volunteers to work on projects to the extent that they enhance the classroom or school, meet a specific need, comply with established building and safety codes, do not significantly increase maintenance workloads and comply with employee commitments and contracts.

Legal Reference:

EDUCATION CODE

35021 Volunteer aides

35021.1 Automated records check

44010 Sex offense; definition

44227.5 Classroom participation by college methodology faculty

44814 Duty-free lunch periods

44815 Noncertificated supervision

45125 Fingerprinting requirements

45340-45349 Instructional aide act, especially:

45344.5 Instructional aide; proficiency in basic skills

45347 Instructional aides as classified employees

45349 Volunteers

45360-45367 Teacher aides

49406 Examination for tuberculosis

GOVERNMENT CODE

3100-3109 Oath or affirmation of allegiance

3543.5 Prohibited interference with employees' rights

96100-96114 Academic Volunteer and Mentor Service Act of 1992

HEALTH AND SAFETY CODE

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

LABOR CODE

3364.5 Persons performing voluntary services for school districts
PENAL CODE
290.4 Information re sex offenders
CODE OF REGULATIONS, TITLE 5
18168 Personnel duties with infants and toddlers
CODE OF REGULATIONS, TITLE 22
101170 Criminal record clearance

Adopted: November 10, 1999

**PIEDMONT UNIFIED SCHOOL DISTRICT
ADMINISTRATIVE REGULATION**

Community Relations

BP 1240

VISITORS/OUTSIDERS

The Board of Education encourages parents/guardians and interested members of the community to visit the schools and view the educational program. Visitors should make advance arrangements.

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

No visitor may confer with a student in school without the approval of the principal or designee

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

(cf. 5144 - Discipline)

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes; misdemeanor

32212 Classroom interruptions

35160 Authority of Boards of Education

35292 Visits to schools (board members)

51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off

PENAL CODE

626-626.10 Schools

627-627.10 Access to school premises, especially:

627.1 Definitions

627.2 Necessity of registration by outsider

627.7 Misdemeanors; punishment

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**PIEDMONT UNIFIED SCHOOL DISTRICT
ADMINISTRATIVE REGULATION**

Community Relations

AR 1240

VISITORS/OUTSIDERS

The Superintendent or designee shall post at every entrance to each school and school grounds a notice setting forth the requirements for visitors to register.

Registration Procedure

In order to register, outsiders shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. His/her name, address and occupation
2. His/her age, if less than 21
3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Denial of Registration

The following provisions of law shall apply to outsiders. Outsiders do not include students, parents/guardians, district employees, elected public officials, or other persons listed in Penal Code 627.1.

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

(cf. 3515.2 - Disruptions)

2. The principal or designee may request that an outsider who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When an outsider is directed to leave, the principal or designee shall inform the outsider that if he/she reenters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

Appeal Procedure

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

Approved: November 10, 1999

PIEDMONT UNIFIED SCHOOL DISTRICT

Community Relations

BP 1312

COMPLAINTS CONCERNING THE SCHOOLS

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

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

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

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3320 - Claims and Actions Against the District)

Legal Reference:

EDUCATION CODE

35146 Closed sessions

GOVERNMENT CODE

950-950.8 Actions against public employees

54957-54957.8 Closed sessions

CODE OF REGULATIONS, TITLE 5

3080 Application of section 4600-4671

4600-4671 Uniform complaint procedures

Adopted: November 10, 1999

**PIEDMONT UNIFIED SCHOOL DISTRICT
Board Policy**

Community Relations

BP 1312.1

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

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

The Superintendent or designee shall develop regulations which permit the public to submit complaints against district employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved. The Board prohibits retaliation against complainants.

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

It is cautioned that in no way will a teacher or other school personnel endure insults or abusive treatment from any person pertaining to any complaint. Such persons will be subject to misdemeanor penalties prescribed by law.

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

35146 Closed sessions

44031 Personnel file contents and inspection

44811 Disruption of public school activities

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

48987 Child abuse guidelines

GOVERNMENT CODE

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

PENAL CODE

273 Cruelty or unjustifiable punishment of child

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction of juvenile court

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**Piedmont Unified School District
Administrative Regulation**

Community Relations

AR 1312.1

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.

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 orally resolve concerns 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.
3. When a written complaint is received, the employee shall be notified in accordance with collective bargaining agreements.
4. All complaints related to 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 complaints will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 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 30 days. Complainants should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board regarding the complaint.

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 uphold the Superintendent's decision without hearing the complaint.
10. All parties to a complaint may be asked to attend a Board meeting in order to 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. (Government Code 54957)

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9323 - Meeting Conduct)

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 with the appropriate child protective agencies. Upon request, such procedures shall be written in the primary language of the parent/guardian, and the Superintendent or designee shall provide an interpreter if needed. (Education Code 48987)

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

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4144/4244/4344 - Complaints)
(cf. 5141.4 - Child Abuse Reporting Procedures)

Approved: November 10, 1999

PIEDMONT UNIFIED SCHOOL DISTRICT

Exhibit

Community Relations

E 1312.1

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

CDE Legal Advisory LO: 4-93 Procedures For Parents Or Guardians Of Students To Identify And Report Child Abuse Committed At A School Site By A School District Employee Or Other Person

The following information, taken from Penal Code Sections 273a, 273d, and 11165.6, will assist parents/guardians in deciding whether to file a complaint of child abuse.

What is Child Abuse and What is Not Child Abuse

Child abuse is a physical injury which is inflicted by other than accidental means on a child by another person.

It also means the sexual abuse of a child.

It also means willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody.

It also means unlawful corporal punishment or injury resulting in a traumatic condition.

Child abuse also means neglect of a child or abuse in out-of-home care.

Child abuse does not mean a mutual affray or fight between minors.

It also does not include an injury caused by the actions of a peace officer using reasonable and necessary force:

1. To quell a disturbance threatening physical injury to person or damage to property
2. To prevent physical injury to person or damage to property
3. For purposes of self-defense
4. To obtain possession of weapons or other dangerous objects within the control of a child or
5. To apprehend an escapee

In addition, child abuse does not include injury caused by any force that is reasonable and necessary for persons employed by or engaged in a public school:

1. To stop a disturbance threatening physical injury to people or damage to property

2. For purposes of self-defense or
3. To obtain possession of weapons or other dangerous objects within control of a student (Education Code 44807, 49001)

How to File a Complaint of Child Abuse Against School District Employees or Others at School Sites

Parents/guardians of students have the right to file a complaint against a school district employee or other person that they suspect has engaged in abuse of a child at a school site.

To file a complaint, the parent/guardian must file a formal report with the local child protective agency. This may be done by telephone, in person, or in writing. A complaint may also be filed with the appropriate local school district or county office of education; however, school districts and county offices of education do not investigate child abuse complaints.

In addition, if the child is disabled and enrolled in special education, a separate complaint may be filed with the California Department of Education (CDE) under 5 CCR 4650(a)(viii)(c). The CDE does not investigate allegations of child abuse. The CDE investigates conditions that may involve immediate physical danger or threaten the health, safety or welfare of the child and which may result in denial of free appropriate public education.

As defined in the Child Abuse and Neglect Reporting Act of 1987, a child protective agency is:

1. A police or sheriff's department
2. A county probation department; or
3. A county welfare department/child protective services.

The local child protective agency shall investigate the complaint. (Penal Code 11165.14)

If the complaint is substantiated, the local child protective agency is required to forward a copy of the investigation report to the Board of Education of the local school district or county office of education. (Penal Code 11165.14)

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PIEDMONT UNIFIED SCHOOL DISTRICT
Administrative Regulation

Community Relations

AR 1312.21

Complaints Concerning Library Materials

The following procedures have been established to provide a system for receiving, considering, and acting upon written complaints involving library materials used in the district.

1. If a complaint is made, the Principal or Librarian should:
 - a. Inform complainant of the selection procedures.
 - b. Request the complaint to submit a formal "Request for Reconsideration of Materials."
 - c. Inform the Principal, Superintendent, and other appropriate personnel.
 - d. Keep challenged materials on the shelves during the reconsideration process.
2. Upon receipt of the completed form, the principal will request review of the challenged materials by an ad hoc materials review committee within fifteen working days and will notify the Superintendent that such review is being done. The review committee will be appointed by the Principal, with the assistance of the Librarian and Assistant Superintendent. The committee will include library professionals, representatives from the classroom teachers, one or more parents, and one or more students.
3. The review committee will take the following steps after receiving the challenged materials:
 - a. Read, view, or listen to the material in its entirety;
 - b. Check general acceptance of the material by reading reviews and consulting recommended lists;
 - c. Evaluate the material for its strength and value as a whole and not as a part;
 - d. Present written recommendation to the Superintendent.
 - e. Challenged materials will be retained or withdrawn as mandated by the decision of the Superintendent
- f. The decision of the Superintendent shall be final. However, the decision may be appealed to the Board of Education

Approved: July 25, 1990

**Piedmont Unified SD
Exhibit**

E 1312.21
Community Relations

Complaints Concerning Library Materials

Citizen's Request for Reconsideration Of Instructional Materials

Date: _____

TITLE: _____

AUTHOR: _____

PUBLISHER: _____ DATE OF EDITION: _____

Request received by: _____ Title: _____

Citizen's Name: _____ Phone: _____

Citizen Represents: Himself/Herself: _____ Organization or Group: _____

1. To what do you object? (Please be specific: cite pages, tape sequence, video frame, and words)
2. What do you feel would be the result of reading/viewing this material?
3. For what age group would you recommend this material?
4. Did you read/view the entire selection?
5. If not, what percentage did you read/view, or what parts?
6. Is there anything good about this material?
7. What would you like the school to do about this material?
____ Do not assign it to my child.
____ Withdraw it from all students.
____ Re-evaluate it.
8. Are you aware of how this work has been assessed by literary critics?
9. What do you believe is the thesis of this work?
10. In its place, what work would you recommend?

Signature of citizen _____

Action taken: _____ Date: _____

Version: November 10, 1999

REQUEST FOR RECONSIDERATION OF LIBRARY MATERIALS

School: _____

Please check type of material: _____

Book	CD-ROM	Compact disc/cassette
Periodical	Laserdisc	Filmstrip/slides
Pamphlet	Video/film	Other

Title: _____

Author: _____

Publisher or producer: _____

Request initiated by: _____

Telephone: _____ Address: _____

City: _____ State: _____ Zip: _____

Complainant represents:

_____ Self

_____ Organization, Name: _____

_____ Other (identify): _____

Why do you object to this material?

What do you feel might be the result of a student using this material?

Are there any good aspects of this material?

For what age group would you recommend this material?

Are you aware of the judgment of this material by reviewers or critics?

Have you read the School Library Bill of Rights?

What would you judge to be the purpose of this material?

In its place, what material of equal value would you recommend?

Other comments:

I attest that I have read, viewed, or listened to this material in its entirety.

Signature of complainant

Date: _____

Version: November 10, 1999

PIEDMONT UNIFIED SCHOOL DISTRICT

Community Relations

Board Policy 1312.3

Uniform Complaint Procedures

The Board of Education recognizes that the District is responsible for ensuring that it complies with state and federal laws and regulations governing educational programs.

The Board of Education shall use the uniform complaint procedures process to help identify and resolve any deficiencies related to: instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or misassignment.

The District shall also follow uniform complaint procedures when addressing complaints alleging unlawful discrimination based on ethnic group identification, religion, age, sex, race, ancestry, national origin, gender, sexual orientation, color, or physical or mental disability in any program or activity that receives or benefits from state financial assistance. This, however, shall not apply to employer/employee relations such as hiring and evaluations of staff, assignments of classrooms or duties or other issues within the purview of the Public Employees Relations Board or a Memorandum of Understanding or other collective bargaining agreement; the provision of core curricula subjects; student classroom assignments; student discipline; student advancement retention or grades; graduation requirements; homework policies and practices; selection of instructional materials; or the use of general education funds.

The District shall also follow uniform complaint procedures when addressing complaints alleging failure to comply with state or federal law for all specified programs, including adult education, career-technical education, child development, consolidated categorical aid programs, migrant education, special education and child nutrition programs.

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.

The Superintendent or designee shall meet the notification and posting requirements of 5 CCR 4622 and 4684, including the annual dissemination to students, employees, parents/guardians, district/school councils, advisory committees and other interested parties, of District complaint procedures and information about available appeals, civil law remedies and conditions under which a complaint may be taken directly to the California Department of Education. The Superintendent or designee shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies.

The Board encourages the early, informal resolution of complaints at the site level whenever possible. Upon receipt of a written complaint from an individual, public agency or organization, uniform complaint procedures shall be initiated. The Superintendent or designee shall distribute full information about these procedures.

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

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. Notwithstanding the above, all complaints and responses regarding sufficient textbooks and instructional materials, including English learners; teacher vacancy or misassignment; and school facilities are matters of public record.

The Board shall protect all complainants and prohibit retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or participation in complaint procedures. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the District's complaint procedures as delineated in the Administrative Regulations.

Legal Reference:

EDUCATION CODE

35186 Uniform Complaint Process (Williams Case Settlement)

200-262.3 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18179 School libraries

48431.6 Academic progress and counseling review program

48985 Notices in language other than English

49060-49079 Student records

49490-49590 Child nutrition programs

52000-52049.1 School improvement programs

52160-52178 Bilingual education programs

52300-52499.6 Vocational education

52500-52616.24 Adult schools

52800-52870 School-based coordinated programs
54000-54041 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56885 Special education programs
59000-59300 Special schools and centers
62000-62008 Evaluation and sunseting of programs
64000-64001 Consolidated application process
CODE OF REGULATIONS, TITLE 5
3080 Application of section
4600-4671 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs
receiving state financial assistance

PENAL CODE

422.6 Interference with constitutional right or privilege

Management Resources:

WEB SITES

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/offices/OCR>

Adopted: November 10, 1999
Revised: May 28, 2003
Revised: November 19, 2003
Revised: January 24, 2006

Piedmont Unified School District

Administrative Regulation

Community Relations

AR 1312.3

UNIFORM COMPLAINT PROCEDURES

Compliance Officers

The Board of Education designates the following compliance officers to receive and investigate complaints and ensure District compliance with law:

Complaints Concerning School Facilities:

Assistant Superintendent, Business Services
760 Magnolia Ave., Piedmont, CA 94611
510-594-2654

Complaints Concerning District Employees, Teacher Assignment/Misassignment, and/or Instructional and/or Library Materials:

Superintendent
760 Magnolia Ave., Piedmont, CA 94611
510-594-2614

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)

Notifications

The Superintendent or designee shall meet the notification requirements of 5 CCR 4622 and 4684, including the annual dissemination of District complaint procedures.

Complainants may seek help from agencies such as legal assistance agencies, local mediation centers or the county office of education. Local resources include:

Alameda County Office of Education
313 W. Winton Avenue
Hayward, California 94544-1198

Procedures

The following procedures shall be used to address complaints which allege that the District has violated federal or state laws or regulations governing educational programs, as follows:

- Adult Education
- Career-Technical Education
- Child Development
- Consolidated Categorical Aid Programs
- Migrant education
- Special Education
- Child Nutrition programs

Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4632.

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

Steps for Filing A Complaint on Issues of Educational Programs (see above list)

Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance by the District. A complaint may be filed anonymously.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination.

The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. (5 CCR 4630)

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

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, district staff shall help him/her to file the complaint (5 CCR 4600). When 15 percent or more of the students in the school speak a single primary language other than English, all notices to parents or guardian regarding complaint procedures shall be in the student's primary language in addition to English (Education Code Section 48985; 5 CCR 4620-4652). The fifteen percent shall be determined from the census data submitted to the Department of Education in the preceding year, pursuant to Education Code Section 52164.

Step 2: Mediation

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

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

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

The use of mediation shall not extend the District's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

The compliance officer shall hold an investigative meeting within ten school days of receiving the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative and the district's representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses. (5 CCR 4631)

Step 4: Response

Within 60 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision. (5 CCR 4631), unless the complainant agrees in writing to an extension of time.

Step 5: Final Written Decision

A written report of the district's decision shall be sent to the complainant. The report of the District's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the District shall arrange a meeting at which a community member will interpret it for the complainant. This report shall include:

1. The findings and disposition of the complaint, including corrective actions, if any (5 CCR 4631)
2. The rationale for the above disposition (5 CCR 4631)
3. Notice of the complainant's right to appeal the decision within fifteen days to the California Department of Education, and procedures to be followed for initiating such an appeal. (5 CCR 4631)

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

Filing A Complaint on Issues of Instructional Materials, Teacher Vacancy or Misassignment, and School Facilities

Step 1: Filing of Complaint

The complaint must first be filed with the principal of the school. A complaint about problems beyond the authority of the school principal shall be forwarded within 10 working days to the Superintendent or designee for resolution. These complaints may be filed anonymously, however, only a complainant who identifies himself/herself is entitled to a response. Additionally, all complaints and responses are public records.

Step 2: Mediation

If the filing of a complaint does not bring about a resolution or if a direct request is received by the State for direct intervention, the State will make a determination whether direct intervention is warranted, and shall conduct an investigation, including an on-site investigation, if necessary. The State will complete its investigation within sixty (60) days after receiving a request.

Appeals to the California Department of Education

If dissatisfied with the District's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the district's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals. (5 CCR 4652)

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the district's decision and must include a copy of the locally filed complaint and the district's decision. (5 CCR 4652)

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

Civil Law Remedies

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

Approved: November 10, 1999
Revised: September 11, 2002

Revised: May 28, 2003
Revised: November 19, 2003
Revised: January 24, 2006
Revised: January 23, 2007

PIEDMONT UNIFIED SCHOOL DISTRICT
760 Magnolia Avenue
Piedmont, CA 94611

UNIFORM & GENERAL COMPLAINT FORM

NAME OF COMPLAINANT: _____

COMPLAINANT ADDRESS: _____

TELEPHONE: _____

(Complaint may be anonymous, if so desired; however, no action can be reported back to complainant without this information).

Employee complaints regarding discrimination or harassment will follow the guidelines indicated in their respective bargaining agreements.

PLEASE MARK THE ISSUE(S) TO WHICH THE COMPLAINT IS MADE:

<p>*Use Exhibit Form 1312.3-A for complaints about emergency urgent school facilities conditions that pose a threat to health/safety of pupils or staff</p>	<p>() Complaint About Sexual Harassment</p>	<p>() Complaint About Library Materials (must also complete form E 1312.21 in Policy Binder)</p>
<p>*Use Exhibit Form 1312.3-A for complaints about a Teacher Vacancy or Teacher Teaching Out of Credentialed Area (Misassignment)</p>	<p>() Complaint About Discrimination</p>	<p>() Complaint About Quality of Educational Program</p>
<p>*Use Exhibit Form 1312.3-A for complaints about insufficiency of Textbooks / Instructional Materials, including materials for English Learners</p>	<p>() Complaint About School Administrator, Teacher, Other Staff</p>	<p>() Complaint About Any of the following Categorical Programs: (circle)</p> <ul style="list-style-type: none"> . Adult Education . Consolidated Categorical Aid Programs . Migrant Education . Vocational Education . Child Care & Dev. Programs . Child Nutrition Programs . Special Education Programs . Federal School Safety Planning Requirements

*** These are complaints under the *Williams Lawsuit Settlement***

Please state your complaint in detail below (please attach another sheet of paper, if necessary).

Please describe efforts to discuss issue with the Administrative, Certificated or Classified Staff Member (if relevant to your complaint):

Please describe efforts to satisfactorily resolve the complaint with the Site Principal/Program Manager (if relevant to your complaint):

Please indicate the action you wish taken and the reason(s) why it is felt that such action should be taken: _____

If you feel a satisfactory solution has not been reached with the Staff Member, Site Principal/Program Manager, please request a meeting with the Superintendent of Schools, 760 Magnolia Avenue, Piedmont, CA 94611, **in writing**, and include a copy of this Uniform & General Complaint Form with the letter.

Should this matter still not be resolved after speaking with the Superintendent/designee, or is a matter beyond the Superintendent's/designee's authority, you may submit a request **in writing**, for a hearing by the Board of Education. The Complainant shall be advised in writing of the Board's decision no more than thirty (30) days following the hearing.

DATE COMPLAINT FORM SIGNED: _____

SIGNATURE OF COMPLAINANT: _____

<u>For District Use Only</u>	
Person Receiving Complaint Form: _____	Date Received: _____
Action Taken as Result of Complaint: _____	Date: _____

Community Relations

WILLIAMS UNIFORM COMPLAINT FORM
(Education Code 35186)

Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Contact Information:

Name: _____

Address: _____

Phone Number: _____ Day: _____ Evening: _____

Room Number or Name of Room: _____

Date problem was observed: _____

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

Specific issue(s) of the complaint. Please check all that apply:

1. Textbooks and instructional materials:
 - A student lacks textbooks or instructional materials to use in class.
 - A student does not have access to instructional materials to use at home or after school to complete homework assignments.
 - Textbooks or instructional materials are in poor or unusable conditions, having missing pages, or are unreadable due to damage.

2. Teacher vacancy or misassignment:
 - A semester begins and a certificated teacher is not assigned to teach the class.
 - A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20% English learners in the class.
 - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility conditions:
 - A condition exists that poses an emergency or urgent threat to the health or safety of students or staff as defined in AR 1312.3.

Please describe the issue of your complaint in detail. You may attach additional pages if necessary to fully describe the situation. _____

Please file this complaint with the person specified below at the following location:

(principal or title of designee)

(address)

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

(signature)

(date)

**PIEDMONT UNIFIED SCHOOL DISTRICT
Board Policy**

Community Relations

BP 1313

Civility Policy

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

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

(cf. 0410.1 - Recognition of Human Diversity)

Disruptions

1. Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on school district property, will be directed to leave school or school district property promptly by the chief administrative officer or designee.

2. If any member of the public used obscenities or speaks in a demanding, loud, insulting, and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the district employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and, if the meeting or conference is on district premises, the offending person will be directed to leave promptly.

(cf. 5146 - Campus Disturbance)
(cf. 9323 - Meeting Conduct)

Legal Reference:

EDUCATION CODE

32210 Disturbing School
44014 Assault on Personnel
44810 Person on School Grounds
44811 Insults and Abuses

PENAL CODE

243.5 Arrest on School Grounds
415.5 Fighting on School Grounds
627.7 Refusal to Leave School Grounds

628.8 Entry of School by Person Not on Lawful Business

Adopted: December 12, 2001

**Piedmont Unified SD
Board Policy**

BP 1321

Community Relations

Solicitation Of Funds From And By Students

Solicitations on Behalf of Charitable Organizations

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

When approved in advance by the Board, funds may be solicited or materials distributed for those nonprofit, nonpartisan organizations that are properly chartered or licensed by state or federal law. (Education Code 51520)

Solicitations on Behalf of the School

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

(cf. 1230 - School-Connected Organizations)

The Superintendent or designee shall ensure that parents/guardians are informed of the purpose of all fund-raisers benefiting the school or school groups. After the fund-raiser is held, parents/guardians shall be told how much money was raised and how it was spent.

All Solicitations

Whether solicitations are made on behalf of the school or on behalf of another charitable organization, the Board particularly desires that no students shall be made to feel uncomfortable or pressured to provide funds. Staff is expected to emphasize the fact that donations are always voluntary.

Staff members are prohibited from distributing materials, selling articles, disseminating information, or soliciting for personal gain the participation of students for non-school activities if prior approval has not been granted in accordance with procedures established by the Superintendent.

Legal Reference:

EDUCATION CODE

51520 Prohibited solicitations on school premises (except such nonpartisan, charitable organizations as approved by the Board of Education)

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

BUSINESS AND PROFESSIONS CODE

17510-17510.7 Charitable solicitations

Adopted: November 10, 1999

Piedmont, California

**Piedmont Unified SD
Board Policy**

BP 1325
Community Relations

Advertising And Promotion

Distribution of Noncommercial Materials

The Superintendent or designee may approve the distribution to students of materials prepared by organizations which are school sponsored or school related. Materials approved for distribution shall further the district's intended purpose, directly benefit the students, support the basic educational mission of the district or be of intrinsic value to the students. Materials shall not promote any particular religious or political interest except as specified below.

Distribution of Commercial Materials/Advertising

School-sponsored publications, announcements and other school communications may accept paid advertising except for that prohibited by law and administrative regulation. The Superintendent or designee may prohibit advertisements which are inconsistent with school objectives and do not reasonably relate to the educational purpose of school-sponsored publications. In addition, the Superintendent or designee may allow the distribution of promotional material of a commercial nature within the parameters of law and administrative regulation but also may prohibit the distribution of materials which lack educational value or are not related directly to the school program.

Legal Reference:
EDUCATION CODE
35172 Promotional activities
38130-38138 Civic Center Act
48907 Student exercise of free expression

Policy PIEDMONT UNIFIED SCHOOL DISTRICT
adopted: November 10, 1999 Piedmont, California

**Piedmont Unified SD
Administrative Regulation**

AR 1325
Community Relations

Advertising And Promotion

Distribution of Materials

Materials generated by nonstudents may be distributed or posted in district schools only when prior approval has been granted by the Superintendent or designee.

Unless generated by the school, surveys or questionnaires requiring student or parent/guardian response also must be first approved by the Superintendent or designee. All materials to be distributed shall bear the name and contact location of the sponsoring group.

Regulation PIEDMONT UNIFIED SCHOOL DISTRICT
approved: November 10, 1999 Piedmont, California

Piedmont Unified SD Board Policy

BP 1330 Community Relations

Use Of School Facilities

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

Because the facilities are a community resource, the Board has developed policies intended to preserve the quality and useful life of the facilities, to provide access to the facilities when appropriate and available, and to also ensure that the facilities are available to the community for non-scheduled leisure/family use and enjoyment.

(cf.6145.5 – Student Organizations and Equal Access)

Priority of Users: All school-related activities (clubs, class and athletic events, etc.) shall be given first priority in the use of facilities under the Civic Center Act. The District's need to schedule maintenance/repair shall supercede the priority order for use of each facility. The Adult Education program and the City of Piedmont programs (Recreation Department sponsored programs at the Middle School and Schoolmates) shall have second priority. Thereafter, the use of facilities shall be on a first-come, first-served basis in accordance with the following parameters:

1. Free Use: District facilities shall be granted without charge to officially recognized Piedmont Unified School District student and staff groups, Piedmont Recreation Department, parent club organizations and school community advisory councils. Free use may also be granted for fund-raising, entertainment or meetings where admission fee charges or contributions solicited are expended for the welfare of school programs.
2. Direct Costs Fee: Organizations, clubs or associations organized for cultural activities, general character building or welfare purposes of Piedmont citizens shall pay direct cost charges, as shall organizations (including those in #1 above) requesting use for entertainment or meetings where admission fees are charged or contributions are solicited and the net receipts are not expended for district programs. Piedmont organizations including youth and adult groups committed to community service (Campfire, Scouts, Piedmont Language School, Piedmont Choirs, Piedmont Light Opera Theatre, League of Women Voters, etc.) senior citizen organizations and other Piedmont public agencies shall be assessed direct cost fees. Direct cost charges are listed in the adopted fee schedule. Included in this category would be fund-raising benefits for nonprofit organizations and organizations for Piedmont youth and adults including private social dance classes, language classes, musical organizations and sports programs.
3. Fair Rental Value Fee: Profit-making organizations or non-Piedmont based organizations, which do not qualify for free or direct cost rates shall be charged fair rental value rates in accordance with the adopted fee schedule. Included in this category might be independent dance, theater, or musical groups, private instructors

or private businesses, assuming these groups would satisfy city zoning and business ordinances.

A current fee schedule may be obtained from the Facilities Use Manager in the District Office and the District website.

EDUCATION CODE

10900-10914.5 Community Recreation Programs

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

LEGAL REFERENCES:

COURT DECISIONS

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 113 S.Ct. 2141

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

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

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

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

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

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

ATTORNEY GENERAL OPINIONS

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

Management Resources:

CDE LEGAL ADVISORIES

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

ADOPTED: NOVEMBER 10, 1999

REVISED: OCTOBER 22, 2003

**Piedmont Unified SD
Administrative Regulation**

AR 1330

Community Relations

Use Of School Facilities

Application for Use of Facilities

The Superintendent or designee shall maintain application procedures and regulations for the use of school facilities as described in the District's Facilities Use Handbook which: (Education Code 38133)

1. Encourage and assist groups desiring to use school facilities for approved activities.
2. Preserve order in school buildings and on school grounds, and protect school facilities.
3. Ensure that the use of facilities or grounds is consistent with the use of the school facilities or grounds for school purposes and does not interfere with the regular conduct of school work.

Permit Applications may be obtained from the Facilities Use Manager in the District Office or directly from the Piedmont Unified School District website, www.piedmont.k12.ca.us.

Permits for the use of school facilities may be issued by the Facilities Use Manager if, in the opinion of the principal of the school, such use does not conflict with school activities and is in accordance with normally approved use. Interested parties must first contact the principal of the school, who will determine availability of the desired facility. For availability of a high school facility only, directly contact the Facilities Use Manager in the District Office.

While an individual or group may be granted a permit for use for an extended period, such individual or group is to defer to a school function and shall cancel any meeting which may be in conflict with a school program.

All permits shall be revocable and shall not be considered as a lease, and the Board or its authorized agent may reject any application or cancel any permit. A permit is not transferable. New permits will not be issued to groups with outstanding bills from past facilities use.

Subject to District policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes (*Education Code 38131, 38132*):

1. Public, literary, scientific, recreational, educational or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination
7. A community youth center
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

Restrictions

1. All facilities are closed for use by the public during school hours.
2. School facilities may only be used by permit holders during the approved and stated dates and times. See Facilities Use Handbook for additional restrictions.
3. Permit holders must abide by all rules and regulations as described in the Facilities Use Handbook.
4. School facilities shall not be used for any of the following activities:
 - a. Any use by an individual or group for the commission of any crime or any act prohibited by law.
 - b. 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.
 - c. Any use which is discriminatory on the basis of sex, race, age, sexual orientation or religious denomination.
 - d. Any use which involves the possession, consumption or sale of alcoholic beverages, tobacco, or any restricted substances on school property.
5. Facility keys will not be issued to non-employees, volunteers, off-site coaches and/or representatives of non-school groups.

Damage and Liability

1. A responsible adult must be in charge at all times during the use of school facilities and shall accept responsibility for actions of members of the group.
2. Groups or persons using school facilities under the provisions of this policy shall be liable for any damages to property caused by the activity. The Board shall charge the amount necessary to repair any damages. Further use of the school facilities may be denied the responsible party.
3. Any group using school facilities shall be liable for any injuries resulting from its negligence during such use. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk and shall provide evidence of insurance upon the district's request. Further use of school facilities by such groups shall not be permitted until all claims for loss or damage shall be paid to the district.
4. The Superintendent or designee may require a hold harmless agreement when warranted by the type of activity or the specific facility being used.

Approved: November 10, 1999

Revised: October 22, 2003

**Piedmont Unified SD
Board Policy**

BP 1340

Community Relations

Access To District Records

The Board of Education recognizes the right of citizens to have access to public records of the district. The Board intends the district to provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of state and federal law. Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.

The district may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication.

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

Legal Reference:

EDUCATION CODE

35145 Public meetings

35170 Authority to secure copyrights

35250 Duty to keep certain records and reports

42103 Publication of proposed budget; hearing

44031 Personnel file contents and inspections

44839 Medical certificates; periodic medical examination (re access to medical certificate in personnel file)

49060-49079 Pupil records

49091.10 Parental review of curriculum and instruction

52015 Ongoing evaluation and modification of school improvement plans

52015.5 Availability of information required by Education Code 52015(g)

52850 Applicability of article (School-based Program Coordination Plan availability)

54722 Application of article (Motivation and maintenance program Plan availability)

GOVERNMENT CODE

3547 Proposals relating to representation

6250-6270 California Public Records Act

53262 Employment contracts

54957.2 Minute book record of closed sessions

54957.5 Agendas and other writings distributed for discussion or consideration

81008 Public records; inspection and reproduction

CODE OF REGULATIONS, TITLE 5

430-438 Individual pupil records

4061 Availability of evaluation information

Policy PIEDMONT UNIFIED SCHOOL DISTRICT

Adopted: November 10, 1999

**Piedmont Unified SD
Administrative Regulation**

AR 1340
Community Relations

Access To District Records

Records Open to the Public

The approved budget, statistical compilations, reports, notices, bulletins, memoranda, minutes of meetings and official communication between governmental branches are public records, and access thereto during normal hours of business shall be granted to any citizen. School records will be examined in the presence of the record custodial regularly responsible for maintenance of files. (Government Code 6252)

Not included in the category of records to which the privilege of access is given are personnel records, student records and personal correspondence.

Confidential Records

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

1. Preliminary drafts, notes, interdistrict or intradistrict memoranda which are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)
2. Personnel records, medical records, student records, personal correspondence, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

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

- a. To an agent or a family member of the individual to whom the information pertains
 - b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
 - c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, unless the employee requests in writing that the information not be disclosed
 - d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents
3. Test questions, scoring keys and other examination data except as provided by law (Government Code 6254)
 4. Library circulation records kept for the purpose of identifying the borrower of items

available in the library (Government Code 6254)

(cf. 6163.1 - Library Media Centers)

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

Inspection of Records and Requests for Copies

Within 10 days of receiving any request for a copy of records, the Superintendent or designee shall determine whether to comply with the request and shall immediately inform the person making the request of his/her determination and the reasons for it. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made.

Any person may request a copy of any district record open to the public and not exempt from disclosure. Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

The Superintendent or designee may charge an amount for copies that reflects the direct costs of duplication.

Regulation PIEDMONT UNIFIED SCHOOL DISTRICT
approved: November 10, 1999 Piedmont, California

**Piedmont Unified SD
Board Policy**

BP 1400

Community Relations

Relations Between Other Governmental Agencies And The Schools

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

Legal Reference:

EDUCATION CODE

10900-10914.5 Cooperative community recreation programs

12400 Authority to receive and expend federal funds

12405 Authority to participate in federal programs

17050 Joint use of library facilities

17051 Joint use of park and recreational facilities

32001 Fire alarms and drills

35160 Authority of Boards of Education

35160.1 Broad authority of school districts

48902 Notification of law enforcement agencies re student violations

48909 District attorney may give notice re student drug use, sale or possession

49305 Cooperation of police and California Highway Patrol (re Safety Patrols)

49402 Contracts with city, county or local health departments

49403 Cooperation in control of communicable disease and immunization

51202 Instruction in personal and public health and safety (re: fire prevention)

ELECTIONS CODE

12283 Polling places: schools

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors by law enforcement agency

828.1 School district police department; disclosure of juvenile criminal records

Policy PIEDMONT UNIFIED SCHOOL DISTRICT

adopted: November 10, 1999

Piedmont, California