

**GIFTS, GRANTS AND BEQUESTS**

The Governing Board may accept any gift, grant, or bequest of money, property, or service to the district from any individual, ~~private agency or~~ organization, **foundation**, or ~~other public or~~ **private** agency that desires to support the district's educational program. While greatly appreciating suitable donations, the Board shall reject any gift which may directly or indirectly impair its authority to make decisions in the best interest of district students or its ability or commitment to provide equitable educational opportunities.

~~(cf. 0100 - Philosophy)~~

(cf. 0200 - Goals for the School District)

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

**(cf. 0415 - Equity)**

(cf. 1260 - Educational Foundation)

**(cf. 9270 - Conflict of Interest)**

Before accepting any gift, grant, or bequest, the Board shall carefully consider any conditions or restrictions imposed by the donor to ensure their consistency with the district's vision, philosophy, and operations. If the Board believes the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

(cf. 0000 - Vision)

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not:

1. Involve creation of a program which the Board would be unable to sustain when the donation is exhausted
2. Entail undesirable or excessive costs
3. Promote the use of violence, drugs, tobacco, or alcohol ~~or the violation of any law or district policy~~

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

**4. Advertise or endorse the use of non-nutritious food or beverages during the school day**

(cf. 5030 - Student Wellness)

**5. Encourage or enable the violation of any law or district policy**

- 4.6. Imply endorsement of any business or product or unduly commercialize or politicize the school environment

(cf. 1325 - Advertising and Promotion)

## **GIFTS, GRANTS AND BEQUESTS** (continued)

Any gift of books ~~and or~~ instructional materials ~~shall~~ **may only** be accepted ~~only~~ if they meet ~~regular~~ district criteria for selection of instructional materials.

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

*(cf. 6161.11 - Supplementary Instructional Materials)*

All gifts, grants, and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school, **classroom, or teacher**. At the Superintendent or designee's discretion, a gift may be used at a particular school **or classroom**.

When any gift of money received by the district is not immediately used, it shall be placed in the county treasury in accordance with law. (Education Code 41030-41031)

The Superintendent or designee shall annually provide a report to the Board indicating the gifts, grants, and/or bequests received on behalf of the district in the preceding fiscal year. The report shall include a statement of account and expenditure of all gifts of money and an inventory of all gifts of physical assets.

*(cf. 3440 - Inventories)*

*(cf. 3460 - Financial Reports and Accountability)*

**Appreciation** [Moved down]

~~The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.~~

~~*(cf. 1150 - Commendations and Awards)*~~

~~*(cf. 7310 - Naming of Facility)*~~

## **Corporate Sponsorship**

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of an educational, athletic, or other program or activity. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in district publications or on district property or web sites.

*(cf. 1113 - District and School Web Sites)*

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

*(cf. 3312 - Contracts)*

*(cf. 6145.2 - Athletic Competition)*

**GIFTS, GRANTS AND BEQUESTS (continued)**

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that the district's relationship and arrangement with the sponsor are consistent with the district's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on district property and in district-sponsored publications **in accordance with BP 1325 - Advertising and Promotion.** ~~No message, image, or other depiction that promotes the use of obscene language, pornography, alcohol, tobacco, or prohibited drugs or that advocates unlawful discrimination, use of violence, or the violation of law or district policy shall be allowed.~~

Each sponsorship agreement shall contain statements including, but not limited to:

1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed;
2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services;
3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information **and the requirement that the sponsor obtain prior approval of the Board before using such information.** ~~The sponsor's use of such information shall require prior approval of the Board.~~
- ~~5.4.~~ **4.5.** The prohibition against the collection **or distribution** of students' personal information except as allowed by law;
- ~~5.~~ **4.5.** The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with **the** district's vision, mission, or goals or the sponsor engages in any prohibited activity;
- ~~5.~~ **4.5.** ~~The prohibition against the collection of students' personal information except as allowed by law.~~

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

**Online Fundraising**

**Any person or entity who wishes to conduct an online fundraising campaign, including a crowdfunding campaign, for the benefit of the district, a school, or a classroom shall submit a written request for prior approval to the Superintendent or designee. Approval of requests shall take into consideration compatibility with the district's vision and goals,**

## **GIFTS, GRANTS AND BEQUESTS (continued)**

**core beliefs, instructional priorities, and infrastructure; the manner in which donations are collected and distributed; equity of the use of funds; and any other factors deemed relevant or appropriate by the district.**

**Any person or entity approved to conduct an online fundraising campaign shall comply with relevant district policies and procedures, including ensuring financial transparency in describing the purpose and use of the funds and protecting student privacy as applicable. Such person or entity shall specify that the district, rather than a staff member, classroom, or school, will own the funded resources.**

**Funds raised by an online fundraising campaign and donated to the district shall be subject to the same terms, criteria for acceptance, and accountability measures as any other donation as specified in this policy.**

### **Appreciation**

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

*(cf. 1150 - Commendations and Awards)*

*(cf. 7310 - Naming of Facility)*

#### *Legal Reference:*

##### EDUCATION CODE

*1834 Acquisition of materials and apparatus*

*35160 Powers and duties*

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

*41030 School district may invest surplus monies from bequest or gifts*

*41031 Special fund or account in county treasury*

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

*41035 Advisory committee*

*41036 Function of advisory committee*

*41037 Rules and regulations*

*41038 Applicability of other provisions of chapter*

#### *Management Resources:*

##### WEB SITES

*California Consortium of Education Foundations: <http://www.cceflink.org>*

Policy  
adopted: June 22, 2016  
revised:

**BONITA UNIFIED SCHOOL DISTRICT**  
San Dimas, California

**CIVIC EDUCATION**

The Governing Board recognizes that **citizen** involvement in civic and political institutions is essential to a democratic government and desires to provide a comprehensive civic education program to help students acquire the knowledge, skills, and principles essential for informed, **engaged, and** responsible citizenship.

The Board shall approve, upon the recommendation of the Superintendent or designee, academic standards and curriculum in civics and government that are aligned with state academic standards and curriculum frameworks.

*(cf. 6000 - Concepts and Roles)*

*(cf. 6011 - Academic Standards)*

*(cf. 6141 - Curriculum Development and Evaluation)*

***(cf. 6142.94 - History-Social Science Instruction)***

*(cf. 9000 - Role of the Board)*

The Superintendent or designee shall determine specific courses within the K-12 curriculum in which civic education and government may be explicitly and systematically taught. He/she **also** shall **also** encourage the integration of civic education into other subjects as appropriate.

*(cf. 6143 - Courses of Study)*

*(cf. 6146.1 - High School Graduation Requirements)*

The district's civic education program shall provide students with an understanding of the rights and responsibilities of citizens in American democracy and the workings of federal, state, and local governments. As appropriate, instruction should include an examination of fundamental American documents, including, but not limited to, the Declaration of Independence, the United States Constitution, the Federalist Papers, and other significant writings and speeches. **Instruction also should also promote a student's understanding of shared democratic principles and values, such as personal responsibility, justice, equality, respect for others, civic-mindedness, and patriotism, and enable students to make their own commitment to these civic values.**

~~To develop a sense of political effectiveness, instruction should develop students' understanding of the importance of civic participation in a democratic society.~~ Service learning, extracurricular and cocurricular activities, class and school elections, **simulations of government, student-led debates, voter education,** and observation of local government processes may be used to reinforce classroom instruction by linking civic knowledge to practical experience and encouraging civic involvement.

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

*(cf. 6142.4 - Service Learning/Community Service Classes)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

## CIVIC EDUCATION (continued)

~~Instruction also should promote a student's understanding of shared democratic principles and values, such as personal responsibility, justice, equality, respect for others, civic mindedness, and patriotism, and enable students to make their own commitment to these civic values.~~ [Moved up]

**Whenever civic education includes topics that may be controversial due to political beliefs or other influences, instruction shall be presented in a balanced manner that does not promote any particular viewpoint. Students shall not be discriminated against for expressing their ideas and opinions and shall be encouraged to respect different points of view.**

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6144 - Controversial Issues)

### Constitution/Citizenship Day

Each year on or near September 17, in commemoration of Constitution and Citizenship Day, the district shall hold an educational program for students in grades K-12 pertaining to the United States Constitution which shall include exercises and instruction in the purpose, meaning, and importance of the Constitution, including the Bill of Rights. (Education Code 37221; ~~P.L. 108-447, Sec. 111~~ **36 USC 106 Note**)

(cf. 6115 - Ceremonies and Observances)

#### Legal Reference:

##### EDUCATION CODE

233.5 Teaching of principles

33540 Standards for government and civics instruction

37221 Commemorative exercises including anniversary of U.S. Constitution

48205 Absence from school for jury duty or precinct board service

51210 Courses of study, grades 1-6

51220 Courses of study, grades 7-12

**51470-51474 State Seal of Civic Engagement**

##### ELECTIONS CODE

**2146 Student voter registration**

**2148 Student voter registration, contact person**

12302 Precinct boards, appointment of students

##### UNITED STATES CODE, TITLE 20

6711-6716 Education for Democracy Act

##### UNITED STATES CODE, TITLE 36

101-144 Patriotic observances

Management Resources: (See next page)

## CIVIC EDUCATION (continued)

### Management Resources:

#### CSBA PUBLICATIONS

School Board Leadership: The Role and Function of California's School Boards, 1996

#### FEDERAL REGISTER

77 Fed. Reg. 29727—Constitution Day and Citizenship Day

#### AMERICAN BAR ASSOCIATION PUBLICATIONS

Essentials of Law-Related Education, rev. 2003

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

History-Social Science Content Standards

History-Social Science Framework for California Public Schools

#### CENTER FOR CIVIC EDUCATION PUBLICATIONS

Education for Democracy: California Civic Education Scope & Sequence, 2003

National Standards for Civics and Government, 1994

#### NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP) PUBLICATIONS

1998 Civics Report Card for the Nation, November 18, 1999

#### Civics Assessment

#### WEB SITES

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

American Bar Association, Law-Related Education Projects: <http://www.abanet.org/publiced/4r>

[https://www.americanbar.org/groups/public\\_education.html](https://www.americanbar.org/groups/public_education.html)—e American Political Science

Association: <http://www.apsanet.org>

Bill of Rights Institute: <http://www.billofrightsinstitute.org>

California Association of Student Leaders: <http://www.casl1.org>

California Council for the Social Studies: <http://www.ccss.org>

California Secretary of State Online Voter Registration: <https://registertovote.ca.gov>

Center for California Studies: <http://www.csus.edu/calst>

Center for Civic Education: <http://www.civiced.org>

Center for Information and Research on Civic Learning and Engagement: <http://www.civicyouth.org>

Center for Youth Citizenship: <http://www.youthcitizenship.org>

Constitutional Rights Foundation: <http://www.crf-usa.org>

National Assessment of Educational Progress (NAEP), Civics Assessment:

<http://nces.ed.gov/nationsreportcard/civics>

National Council for the Social Studies: <http://www.ncss.org>

**ATHLETIC COMPETITION**

The Governing Board recognizes that the district's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The district's athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

*(cf. 3541.1 - Transportation for School-Related Trips)*  
*(cf. 5030 - Student Wellness)*  
*(cf. 5137 - Positive School Climate)*  
*(cf. 6142.7 - Physical Education and Activity)*  
*(cf. 7110 - Facilities Master Plan)*

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*

The Board encourages business and community support for district athletic programs, subject to applicable district policies and regulations governing advertisements and donations.

*(cf. 1260 - Educational Foundation)*  
*(cf. 1321 - Solicitation of Funds from and by Students)*  
*(cf. 1325 - Advertising and Promotion)*  
*(cf. 1700 - Relations Between Private Industry and the Schools)*  
*(cf. 3290 - Gifts, Grants and Bequests)*

**Nondiscrimination and Equivalent Opportunities in the Athletic Program**

The district's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law, including, but not limited to, the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females, and that students are permitted to participate in athletic activities consistent with their gender identity.

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

Any complaint **regarding alleging discrimination in** the district's athletic program shall be filed in accordance with the district's uniform complaint procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*



## **ATHLETIC COMPETITION (continued)**

### **California Interscholastic Federation**

Any district school that participates in the California Interscholastic Federation (CIF) shall conduct its athletic activities in accordance with CIF bylaws and rules and any applicable district policy and regulation. The Superintendent or designee shall have responsibility for the district's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

The Board shall annually designate a representative to the local CIF league from each school that participates in CIF sports. The Superintendent or designee shall recommend a candidate for the position who demonstrates an understanding of the district's goals for student learning and interscholastic activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and interpersonal communication and leadership skills.

The designated representative(s) shall vote on issues that impact interscholastic athletics at the league and section levels, perform any other duties required by the CIF league, and report regularly to the Board on league, section, and statewide issues related to athletic programs.

*(cf. 0500 - Accountability)*

### **Student Eligibility**

Eligibility requirements for student participation in the district's interscholastic athletic program, including requirements pertaining to academic achievement shall be the same as those set by the district for participation in extracurricular and cocurricular activities.

*(cf. 3530 - Risk Management/Insurance)*

*(cf. 5111.1 - District Residency)*

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

*(cf. 6173.2 - Education of Children of Military Families)*

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program, including, but not limited to, a fee to cover the cost of uniforms, locks, lockers, or athletic equipment.

*(cf. 3260 - Fees and Charges)*

*(cf. 5143 - Insurance)*

## **ATHLETIC COMPETITION (continued)**

### **Sportsmanship**

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship and the Code of Ethics adopted by CIF.

Students and staff shall be subject to disciplinary action for improper conduct.

*(cf. 3515.2 - Disruptions)*

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.4 - Student Disturbances)*

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))*

### **Health and Safety**

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

*(cf. 5131.61 - Drug Testing)*

*(cf. 5131.63 - Steroids)*

*(cf. 5141.3 - Health Examinations)*

*(cf. 5141.6 - School Health Services)*

*(cf. 5141.7 - Sun Safety)*

~~*(cf. 5143 - Insurance)*~~

Coaches and appropriate district employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

*(cf. 5142 - Safety)*

**ATHLETIC COMPETITION (continued)**

**The Superintendent or designee shall develop a written emergency action plan that describes the location of automated external defibrillator(s) and procedures to be followed in the event of sudden cardiac arrest or other medical emergency related to the athletic program's activities or events. The plan shall be posted in accordance with guidelines of the National Federation of State High School Associations. (Education Code 35179.4)**

In the event of ~~an a serious~~ injury or a perceived imminent risk to a student's health, ~~such as a concussion or passing out, fainting, or other sign of sudden cardiac arrest,~~ during or immediately after an athletic activity, the coach or any other district employee who is present shall remove the student athlete from the activity, observe universal precautions in handling blood or other bodily fluid, and/or seek medical treatment for the student as appropriate.

(cf. 4119.42/4219.42/4319.42 - *Exposure Control Plan for Bloodborne Pathogens*)

(cf. 4119.43/4219.43/4319.43 - *Universal Precautions*)

(cf. 5141 - *Health Care and Emergencies*)

(cf. 5141.21 - *Administering Medication and Monitoring Health Conditions*)

(cf. 5141.22 - *Infectious Diseases*)

**Whenever a serious injury or illness is suffered by a student athlete, the Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury or illness suffered by the student and any actions taken to treat the student.**

*Legal Reference:*

**EDUCATION CODE**

200-262.4 *Prohibition of discrimination*

17578 *Cleaning and sterilizing of football equipment*

17580-17581 *Football equipment*

32220-32224 *Insurance for athletic teams, especially:*

32221.5 *Required insurance for athletic activities*

33353-33353.5 *California Interscholastic Federation; implementation of policies, insurance program*

33354 *California Department of Education authority over interscholastic athletics*

33479-33479.9 *The Eric Parades Sudden Cardiac Arrest Prevention Act*

35160.5 *District policies; rules and regulations*

35179 *Interscholastic athletics*

35179.1 *California High School Coaching Education and Training Program*

**35179.4 *Emergency action plan***

35179.5 *Interscholastic athletics; limitation on full-contact practices*

**35179.6 *Automated external defibrillator, athletic activities***

48850 *Interscholastic athletics; students in foster care and homeless students*

48900 *Grounds for suspension and expulsion*

48930-48938 *Student organizations*

49010-49013 *Student fees*

49020-49023 *Athletic programs; legislative intent, equal opportunity*

49030-49034 *Performance-enhancing substances*

*Legal Reference: (continued next page)*

## ATHLETIC COMPETITION (continued)

### Legal Reference: (continued)

49458 Health examinations, interscholastic athletic program  
49475 Health and safety, concussions and head injuries  
49700-49701 Education of children of military families  
51242 Exemption from physical education for high school students in interscholastic athletic program  
**HEALTH AND SAFETY CODE**  
**1797.196 Automated external defibrillator**  
**PENAL CODE**  
245.6 Hazing  
**CODE OF REGULATIONS, TITLE 5**  
4900-4965 Nondiscrimination in elementary and secondary education programs, especially:  
4920-4922 Nondiscrimination in intramural, interscholastic, and club activities  
5531 Supervision of extracurricular activities of students  
5590-5596 Employment of noncertificated coaches  
**UNITED STATES CODE, TITLE 20**  
1681-1688 Discrimination based on sex or blindness, Title IX  
**CODE OF FEDERAL REGULATIONS, TITLE 34**  
106.31 Nondiscrimination on the basis of sex in education programs or activities  
106.33 Comparable facilities  
106.41 Nondiscrimination in athletic programs  
**COURT DECISIONS**  
*Mansourian v. Regents of University of California*, (2010) 602 F. 3d 957  
*McCormick v. School District of Mamaroneck*, (2004) 370 F.3d 275  
*Kahn v. East Side Union High School District*, (2003) 31 Cal. 4th 990  
*Hartzell v. Connell*, (1984) 35 Cal. 3d 899

### Management Resources:

**CSBA PUBLICATIONS**  
*Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination*, March 2017  
**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**  
*Pupil Fees, Deposits, and Other Charges*, Fiscal Management Advisory 12-02, April 24, 2013  
**CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS**  
**Athletic Department Emergency Action Plan: Response Teams**  
*California Interscholastic Federation Constitution and Bylaws*  
*A Guide to Equity in Athletics*  
*Guidelines for Gender Identity Participation*  
*Keep Their Heart in the Game: A Sudden Cardiac Arrest Information Sheet for Athletes and Parents/Guardians*  
**Event Emergency Guidelines, 2013**  
*Pursuing Victory with Honor*, 1999  
**CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS**  
*Heads Up: Concussion in High School Sports*, Tool Kit, June 2010  
*Heads Up: Concussion in Youth Sports*, Tool Kit, July 2007  
*Acute Concussion Evaluation (ACE) Care Plan*, 2006  
**NATIONAL FEDERATION OF STATE HIGH SCHOOL ASSOCIATIONS PUBLICATIONS**  
**Emergency Action Planning Guide for After-School Practices and Events**  
**U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

Management Resources: (continued next page)

## **ATHLETIC COMPETITION (continued)**

### *Management Resources: (continued)*

*Withdrawal of Dear Colleague Letter on Transgender Students, Dear Colleague Letter, February 22, 2017*  
*Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague Letter,*  
*April 20, 2010*

#### WEB SITES

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

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

California Interscholastic Federation: <http://www.cifstate.org>

Centers for Disease Control and Prevention, Concussion Resources: <http://www.cdc.gov/concussion>

National Federation of State High School Associations: <http://www.nfhs.org>

National Operating Committee on Standards for Athletic Equipment: <http://www.nocsae.org>

U.S. Anti-Doping Agency: <http://www.usada.org>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

**PLACEMENT IN MATHEMATICS COURSES**

The Governing Board believes that a sound educational program must include the study of subjects that prepare students for admission to higher education and/or a fulfilling career. To the extent possible, all District students shall be provided an opportunity to complete a sequence of mathematics courses recommended for admission into the University of California and California State University systems.

*(cf. 6141.5 - Advanced Placement)*

*(cf. 6142.92 - Mathematics Instruction)*

*(cf. 6143 - Courses of Study)*

*(cf. 6146.1 - High School Graduation Requirements)*

The Superintendent or designee shall work with district teachers, counselors, and administrators and the representatives of feeder schools to develop a well-articulated sequence of mathematics courses and consistent protocols for placing students in mathematics courses offered at district high schools.

Such placement protocols shall systematically take into consideration multiple objective academic measures that may include, but are not limited to, statewide mathematics assessments, including state interim and summative assessments; placement tests that are aligned to state-adopted content standards in mathematics; classroom assignment and grades; and report cards. (Education Code 51224.7)

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

*(cf. 6011 - Academic Standards)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - State Academic Achievement Tests)*

District staff shall implement the placement protocols uniformly and without regard to students' race, sex, gender, nationality, ethnicity, socioeconomic background, or other subjective or discriminatory consideration in making placement decisions any characteristic specified in BP 0410 - Nondiscrimination in District Programs and Activities, including, but not limited to, race, sex, gender, nationality, and ethnicity.

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

*(cf. 0415 - Equity)*

*(cf. 6174 - Education for English Learners)*

Students shall be enrolled in mathematics courses based on the placement protocols. No student shall repeat a mathematics course which he/she has successfully completed based on the district's placement protocols.

When a student does not qualify to be enrolled in a higher level mathematics course based on a consideration of the objective measures specified in the placement protocols, he/she may nevertheless be admitted to the course based on the recommendation of a teacher who has personal knowledge of the student's academic ability.

**PLACEMENT IN MATHEMATICS COURSES** (continued)

The placement protocols shall ~~specify a time~~ **provide for at least one reevaluation** within the first month of the school year ~~when students shall be reevaluated~~ to ensure that ~~they~~ **students** are appropriately placed in mathematics courses and shall specify the criteria the district will use to make this determination. Any student found to be misplaced shall be promptly placed in the appropriate mathematics course.

**If a student or parent/guardian questions the student's placement, he/she may appeal the decision to the Superintendent or designee. The decision of the Superintendent or designee shall be final.**

~~Within 10 school days of an initial placement decision or a placement decision upon reevaluation, a student and his/her parent/guardian who disagree with the placement of the student may appeal the decision to the school principal/Superintendent's designee. The Superintendent or designee shall decide whether or not to overrule the placement determination within 10 school days of receiving the appeal. The decision of the Superintendent or designee shall be final.~~

~~(cf. 5123—Promotion/Acceleration/Retention)~~

~~District staff shall implement the placement protocols uniformly and without regard to students' race, sex, gender, nationality, ethnicity, socioeconomic background, or other subjective or discriminatory consideration in making placement decisions.~~

~~(cf. 0410—Nondiscrimination in District Programs and Activities)~~

The Superintendent or designee shall ensure that all teachers, counselors, and other district staff responsible for determining students' placement in mathematics courses receive training on the placement protocols.

~~(cf. 4131 - Staff Development)~~

~~Prior to the beginning of each school year, the Superintendent or designee shall communicate the district's commitment to providing students with the opportunity to complete mathematics courses recommended for college admission, including approved placement protocols and the appeal process, to parents/guardians, students, teachers, school counselors, and administrators.~~

~~This policy and the district's mathematics placement protocols shall be posted on the district's web site. (Education Code 51224.7)~~

~~(cf. 1113—District and School Web Sites)~~

**PLACEMENT IN MATHEMATICS COURSES** (continued)

~~Annually, the~~ The Board and the Superintendent or designee shall **annually** review student data related to placement ~~and advancement~~ in ~~the~~ mathematics courses offered at district high schools to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures are not **being** held back in a disproportionate manner on the basis of ~~their race, ethnicity, gender, or socioeconomic background~~ **any subjective or discriminatory basis, and shall develop strategies.** ~~The Board and Superintendent shall also consider appropriate recommendations~~ for removing any identified barriers to students' access to mathematics courses. **The Superintendent or designee shall also report on the percentage of district students who have successfully completed mathematics courses that satisfy the requirements for entrance to the University of California and the California State University.**

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 0500 - Accountability)*

*Legal Reference: (see next page)*



## PLACEMENT IN MATHEMATICS COURSES (continued)

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination

48070.5 Promotion and retention; required policy

51220 Areas of study, grades 7-12

51224.5 Completion of Algebra I or Mathematics I

51224.7 California Mathematics Placement Act of 2015

51225.3 High school graduation requirements

51284 Financial literacy

**52060-52077 Local control and accountability plan**

60605 State-adopted content and performance standards in core curricular areas

60605.8 Common Core standards

**60640-60649 California Assessment of Student Performance and Progress**

### Management Resources:

#### CSBA PUBLICATIONS

*Math Misplacement, Governance Brief, September 2015*

***Governing to the Core, Governance Briefs***

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, 2013*

*California Common Core State Standards: Mathematics, January 2013*

#### COMMON CORE STATE STANDARDS INITIATIVE PUBLICATIONS

*Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards*

LAWYERS' COMMITTEE FOR CIVIL RIGHTS OF THE SAN FRANCISCO BAY AREA (LCCR)

*Held Back - Addressing Misplacement of 9th Grade Students in Bay Area School Math Classes, 2013*

#### WEB SITES

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

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

Common Core State Standards Initiative: <http://www.corestandards.org/math>

Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR): <http://www.lccr.com>

**Northwest Evaluation Association, Measures of Academic Progress: <http://www.nwea.org>**

**University of California, Mathematics Diagnostic Testing Project: <http://mdtp.ucsd.edu>**

**TRANSITIONAL KINDERGARTEN**

The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The program shall assist TK children in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in program development, implementation, and evaluation.

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 6020 - Parent Involvement)*

**Eligibility**

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

Parents/guardians of eligible children shall be notified of the availability of the TK program and **the** age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

*(cf. 5111 - Admission)*  
*(cf. 5111.1 - District Residency)*  
*(cf. 5111.12 - Residency Based on Parent/Guardian Employment)*  
*(cf. 5141.22 - Infectious Diseases)*  
*(cf. 5141.3 - Health Examinations)*  
*(cf. 5141.31 - Immunizations)*  
*(cf. 5141.32 - Health Screening for School Entry)*

Upon request of a child's parents/guardians, the district may, on a case-by-case basis after the Superintendent or designee determines that it is in the child's best interest, admit into the district's TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible for kindergarten.

**Curriculum and Instruction**

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

*(cf. 6141 - Curriculum Development and Evaluation)*  
*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

## TRANSITIONAL KINDERGARTEN (continued)

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (CDE). It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

*(cf. 5148.3 - Preschool/Early Childhood Education)*  
*(cf. 6011 - Academic Standards)*  
*(cf. 6174 - Education for English Language Learners)*

The Board shall fix the length of the school day in the district's TK program. **TK programs may be maintained for different lengths of time either at the same or different school sites, as long as the school day is ~~which shall be~~ at least three hours but no more than four hours. The Superintendent or designee shall annually report to CDE as to whether the district's TK programs are offered full day, part day, or both. Education Code 3202, 46111, 46115, 46117, 48003)**

*(cf. 6111 - School Calendar)*  
*(cf. 6112 - School Day)*

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

**TK students may be placed in a classroom commingled with 4-year-old students from a California State Preschool Program as long as the classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten. (Education Code 8235, 48000)**

### Staffing

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

*(cf. 4112.2 - Certification)*

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2020, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by ~~the~~ CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

*(cf. 4131 - Staff Development)*

## **TRANSITIONAL KINDERGARTEN (continued)**

### **Continuation to Kindergarten**

Students who complete the TK program shall continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

*(cf. 5123 - Promotion/Acceleration/Retention)*

### **Assessment**

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.

*(cf. 0500 - Accountability)*

*(cf. 6162.5 - Student Assessment)*

#### *Legal Reference:*

##### EDUCATION CODE

##### **8235 California State Preschool Program**

8973 Extended-day kindergarten

37202 School calendar; equivalency of instructional minutes

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten

48000 Age of admission, kindergarten and transitional kindergarten

48002 Evidence of minimum age required to enter kindergarten or first grade

48200 Compulsory education, starting at age six

*Management Resources: (see next page)*

## TRANSITIONAL KINDERGARTEN (continued)

### *Management Resources:*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

Desired Results Developmental Profile, 2015

Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013

California Preschool Curriculum Framework, Vol. 3, 2013

California Preschool Learning Foundations, Vol. 3, 2012

California Preschool Curriculum Framework, Vol. 2, 2011

California Preschool Learning Foundations, Vol. 2, 2010

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

#### WEB SITES

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

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

California Kindergarten Association: <http://www.ckanet.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Transitional Kindergarten California: <http://www.tkcalifornia.org>

## EVALUATION OF THE INSTRUCTIONAL PROGRAM

The Governing Board recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the district's educational program in meeting district goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to **improve identify strategies for improving** student achievement.

*(cf. 0200 - Goals for the School District)*

*(cf. 0500 - Accountability)*

*(cf. 6000 - Concepts and Roles)*

*(cf. 6141 - Curriculum Development and Evaluation)*

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

The Superintendent or designee shall provide the Board and the community with regular reports ~~on student progress toward Board established standards of expected achievement at each grade level in each area of study. In addition, he/she shall evaluate and report data for~~ **on student achievement.** ~~each district school and for every numerically significant student subgroup, as defined in Education Code 52052, including, but not limited to, school and subgroup performance on statewide achievement indicators and progress toward goals specified in the district's local control and accountability plan (LCAP).~~

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 0510 - School Accountability Report Card)*

*(cf. 6011 - Academic Standards)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - State Academic Achievement Tests)*

*(cf. 6162.52 - High School Exit Examination)*

*(cf. 6173.1 - Education for Foster Youth)*

*(cf. 6174 - Education for English Language Learners)*

**In addition, the Superintendent or designee shall conduct an evaluation of any new instructional program implemented in the district and shall regularly assess district progress toward increasing student achievement in all subject areas taught in the district.**

Based on these reports, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education ~~that~~ **provided to** district students **receive**.

### **Annual Monitoring of Consolidated Application Programs**

~~The Board and the Superintendent or designee shall annually determine whether the district's categorical programs funded through the state's consolidated application are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend for Board approval the specific, measurable criteria that shall be used at each school and at the district level. These criteria may include, but are not necessarily limited to, the progress of all students and of each numerically significant subgroup toward goals contained in the district's LCAP, the school's single plan for student achievement, Title I local educational agency plan, and/or other applicable district or school plans.~~

## EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

### Federal Program Monitoring

To ensure that the district's categorical programs comply with applicable legal requirements, the Superintendent or designee shall, on an ongoing basis, conduct a district self-evaluation which may utilize tools developed by the district or the California Department of Education (CDE).

When the district is selected by the CDE for a Federal Program Monitoring (FPM) compliance review, the Superintendent or designee shall gather and submit all documentation and data required for the review and shall cooperate with CDE staff to facilitate program monitoring.

*(cf. 0410—Nondiscrimination in District Programs and Activities)*  
*(cf. 0420—School Plans/Site Councils)*  
*(cf. 0520.2—Title I Program Improvement Schools)*  
*(cf. 0520.3—Title I Program Improvement Districts)*  
*(cf. 1312.3—Uniform Complaint Procedures)*  
*(cf. 1312.4—Williams Uniform Complaint Procedures)*  
*(cf. 4112.24—Teacher Qualifications Under the No Child Left Behind Act)*  
*(cf. 4131—Staff Development)*  
*(cf. 5020—Parent Rights and Responsibilities)*  
*(cf. 5148—Child Care and Development Programs)*  
*(cf. 5148.2—Before/After School Programs)*  
*(cf. 5148.3—Preschool/Early Childhood Education)*  
*(cf. 6020—Parent Involvement)*  
*(cf. 6142.7—Physical Education and Activity)*  
*(cf. 6171—Title I Programs)*  
*(cf. 6173—Education for Homeless Children)*  
*(cf. 6175—Migrant Education Program)*  
*(cf. 6178—Career Technical Education)*  
*(cf. 6178.1—Work Based Learning)*  
*(cf. 6200—Adult Education)*

In the event that the FPM review results in a finding of noncompliance in relation to any program, the Superintendent or designee shall submit a proposed resolution to the CDE within 45 days of the date the district was notified of the finding. The resolution shall be implemented in accordance with the terms and timeframe specified in the resolution agreement with the CDE.

The Superintendent or designee shall report to the Board regarding the results of the review process.

### Western Association of Schools and Colleges (WASC) Accreditation

The Board believes that accreditation by the Western Association of Schools and Colleges (WASC) can foster excellence and ongoing academic improvement in the district's schools. The results of the accreditation process also may demonstrate to parents/guardians and the

## **EVALUATION OF THE INSTRUCTIONAL PROGRAM** (continued)

community that the schools are meeting their goals and objectives and the WASC criteria for school effectiveness through a viable instructional program.

The Superintendent or designee shall undertake procedures whereby district schools may achieve and maintain full WASC accreditation status. The schools shall conduct a self-study in accordance with WASC requirements, cooperate with the WASC committee during a site visit, and develop and review action plans to increase the effectiveness of the instructional program for students. The Superintendent or designee shall regularly report to the Board on the status of district schools and any WASC recommendations for school improvement.

**Not later than 60 days after receiving** the results of any inspection of a school by WASC, or any other accrediting agency, **the Superintendent or designee** shall ~~be published not later than 60 days after the results are made available to the school.~~ **Publication shall be by notifying each parents/guardians in writing of the inspection results and/or by shall posting the information on the district's or school's web site, as determined by the Superintendent or designee.** (Education Code 35178.4)

*(cf. 1113 - District and School Web Sites)*

*(cf. 5145.6 - Parental Notifications)*

If any district school loses its accreditation status, the Board shall give official notice at a regularly scheduled Board meeting. The Superintendent or designee shall provide written notification to each parent/guardian of a student in the school that the school has lost its accreditation status, including the potential consequences of the loss of accreditation status. This notice shall also be posted on the district's web site and the school's web site. (Education Code 35178.4)

*Legal Reference: (see next page)*



## EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

### *Legal Reference:*

#### EDUCATION CODE

33400-33407 Educational evaluations

35178.4 Notice of accreditation status

44662 Evaluation and assessment guidelines, certificated employee performance

48985 Compliance with translation of parental notifications

51041 Education program, evaluation and revisions

51226 Model curriculum standards

52052 ~~52052.1 Academic Performance Index~~ **Accountability**; numerically significant student subgroups

52060-52077 Local control and accountability plan

62005.5 Failure to comply with purposes of funds

64000-64001 Consolidated application process

#### CODE OF REGULATIONS, TITLE 5

3930-3937 Program requirements

3942 Continuity of funding

#### UNITED STATES CODE, TITLE 20

6311 ~~Adequate yearly progress~~ **State plans**

### *Management Resources:*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

~~FPM Frequently Asked Questions~~

~~Federal Program Monitoring Instruments~~

#### WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES PUBLICATIONS

~~Focus on Learning~~; Joint **ACS** WASC/CDE Process Guide, **2014 2017**

#### WEB SITES

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

California Department of Education, ~~Testing and Accountability~~: <http://www.cde.ca.gov/ta>

Western Association of Schools and Colleges (WASC), Accrediting Commission for Schools:  
<http://www.acswasc.org>