



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 10.1i

Meeting Date: June 19, 2014

Subject: Approve Uniform Complaint Procedures Board Policy 1312.3 Update to Comply with the Local Control Funding Formula (LCFF)

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Department: Human Resources/Legal

Recommendation: Approve Update to UCP BP/AR 1312.3

Background/Rationale: As part of the new LCAP process, Ed. Code Section 52075 requires that the District include complaints regarding District LCAP within its Uniform Complaint Procedures.

Financial Considerations: N/A

Documents Attached:

1. Board Policy 1312.3
2. Administrative Regulation AR 4112.9, 4212.9, 4312.9
3. Parental Notifications E 5145.6

<p>Estimated Time of Presentation: N/A</p> <p>Submitted by: Cancy McArn, Assistant Superintendent, Human Resources</p> <p>Approved by: Sara Noguchi, Ed.D., Interim Superintendent</p>

Sacramento City USD

Administrative Regulation

Employee Notifications

AR 4112.9 4212.9,4312.9

Personnel

The district shall provide employees with the following notifications and shall obtain signed acknowledgments that the notifications were received when so required by law or by district policy or regulations.

Acknowledgments Required by Law

1. Legal obligation to report known or suspected instances of child abuse.

(cf. 5141.4 - Child Abuse Reporting Procedures)

2. Oath or affirmation of allegiance required of public employees.

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

3. Hepatitis B vaccine declination.

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

4. The district's school bus driver drug and alcohol testing policy, regulations, and related information.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

5. Notice of release from position requiring an administrative or supervisory credential.

(cf. 4313.2 - Promotion/Demotion/Reassignment)

6. The classified employee's class specification, salary data, assignment or work location, duty hours and prescribed workweek.

(cf. 4212 - Appointment and Conditions of Employment)

7. Information about certificated employee membership in the State Teachers' Retirement System.

Acknowledgments Not Required by Law

1. The district's drug- and alcohol-free workplace.

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

2. The district's non-smoking policy.

(cf. 3513.3 - Tobacco-Free Schools)

3. Prohibition of sexual harassment. -

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

12. Notice of intention to dismiss.

(cf. 4118 - Suspension/Disciplinary Action)

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

13. Students whose actions could constitute grounds for suspension or expulsion, except for possession or use of tobacco.

(cf. 4158/4258/4358 - Employee Security)

14. Notice of LCAP Process and right to file a Uniform Complaint regarding non compliance with LCAP funding.

(cf. 1312.3 – Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

231.5 Sexual harassment policy

22455.5 STRS information to potential members

22515 Irrevocable election to join STRS

44031 Personnel file contents, inspection

44663 Evaluation and assessment; copy to certificated employee

leading to evidence to support an allegation of noncompliance with the requirements.

A complainant not satisfied with the decision of a district may appeal the decision to the California Department of Education and shall receive a written appeal decision within 60 days of the department's receipt of the appeal.

If the district finds merit in a complaint, or the California Department of Education finds merit in an appeal, the district shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the district to ensure full reimbursement to all

to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstructions of the investigation, may result in the dismissal of the

7. Procedures to be followed for initiating an appeal to CDE.

The district ensures that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation and/or bullying will remain confidential as appropriate.

The Board acknowledges and respects every individual's right to privacy. Discrimination, harassment, intimidation and/or bullying 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. (5 CCR 4621)

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate mediation. The Superintendent or designee shall ensure that mediation results are consistent with state an9ng

The complainant shall(c)4(o)-10omply with thehaealureirements of5(C)-3 C

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49490-49590 Child nutrition programs
52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52616.24 Adult schools
52800-52870 School-based program coordination
54000-54028 Economic impact aid programs
54100-54145 Miller-

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Exhibit

Parental Notifications

E 5145.6

Students

Cautionary Notice 2010-13: AB 1610 (Ch. 724, Statutes of 2010) amended Education Code 37252.2 to relieve districts from the obligation, until July 1, 2013, to perform any activities that are deemed to be reimbursable state mandates under that section. As a result, certain provisions of the following policy or administrative regulation that reflect those requirements may be suspended.

Note: This exhibit relates to notices which must be provided to parents/guardians. Unless otherwise indicated, code numbers below refer to Education Code sections.

I. Annually

When to Notify: Beginning of each school year

Education Code 17612,48980.3

Board Policy/Administrative Regulation #: AR 3514.2

Subject: Use of pesticide product, active ingredients, Internet address to access information

When to Notify: Beginning of each school year

Education Code 32255-32255.6,48980

Board Policy/Administrative Regulation #: BP 5145.8, AR 5145.8

Subject: Right to refrain from harmful or destructive use of animals

When to Notify: Annually

Education Code 35256

Board Policy/Administrative Regulation #: BP 0510, AR 0510

Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year

Education Code 35291,35291.5,48980

Board Policy/Administrative Regulation #: BP 5144, BP 5144.1, AR 5144.1

Subject: District and site discipline rules

When to Notify: Beginning of each school year

Education Code 35291,48900.1,48980

Board Policy/Administrative Regulation #: BP 5144.1, AR 5144.1
Subject: Required parental attendance

When to Notify: Beginning of each school year if high school open campus
Education Code 44808.5,48980
Board Policy/Administrative Regulation #: BP 5112.5
Subject: Open campus

When to Notify: Beginning of each school year if Board has adopted resolution allowing such absence
Education Code 46014,48980
Board Policy/Administrative Regulation #: BP 5113, AR 5113
Subject: Absence for religious purposes

When to Notify: Beginning of each school year
Education Code 48205,48980
Board Policy/Administrative Regulation #: BP 5113, AR 5113
Subject: Absence for justifiable personal reasons

When to Notify: Beginning of each school year
Education Code 48205,48980
Board Policy/Administrative Regulation #: AR 6154
Subject: Grade/credit cannot be reduced due to excused absence if work or test has been completed

When to Notify: Beginning of each school year
Education Code 48206.3,48207,48208,48980
Board Policy/Administrative Regulation #: AR 6183
Subject: Availability of home/hospital instruction for students with temporary disabilities

When to Notify: Beginning of each school year
Education Code 48216,48980
Board Policy/Administrative Regulation #: BP 5141.31, AR 5141.31
Subject: Immunizations

When to Notify: Beginning of each school year
Education Code 48980
Board Policy/Administrative Regulation #: AR 5116.1
Subject: All statutory attendance options and available local attendance options

When to Notify: Beginning of each school year
Education Code 48980,231.5
Board Policy/Administrative Regulation #: AR 5145.7
Subject: Sexual harassment policy as related to students

When to Notify: Beginning of each school year
Education Code 48980,52244
Board Policy/Administrative Regulation #: AR 6141.5
Subject: Availability of state funds to cover costs of advanced placement exam fees

When to Notify: Beginning of each school year
Education Code 48980
Board Policy/Administrative Regulation #: BP 6111
Subject: Schedule of minimum days

When to Notify: Beginning of each school year
Education Code 48980,51870.5
Board Policy/Administrative Regulation #: BP 6163.4
Subject: Policy on student access to the Internet

When to Notify: Beginning of each school year
Education Code 49063,49068,49069,20 USC 1232g,34 CFR 99.7
Board Policy/Administrative Regulation #: BP 5125, AR 5125
Subject: Inspect and review, access to, types of records, where kept, persons responsible, location of log, criteria and type of access for persons with access, cost of copies, how to request amendments, criteria for determining who is a school official and what is a legitimate educational interest

When to Notify: Beginning of each school year
Education Code 49063,49070
Board Policy/Administrative Regulation #: AR 5125, AR 5125.3

When to Notify: Beginning of each school year
Education Code 49063,49091.14
Board Policy/Administrative Regulation #: AR 5020, AR 5125
Subject: Availability of course prospectus

When to Notify: Beginning of each school year
Education Code 49423,49480,48980
Board Policy/Administrative Regulation #: AR 5141.21, AR 5141.31
Subject: Administration of prescribed medication

When to Notify: Beginning of each school year
Education Code 49451,48980
Board Policy/Administrative Regulation #: BP 5141.3
Subject: Refusal to consent to physical examination

When to Notify: Beginning of each school year
Education Code 49472,48980
Board Policy/Administrative Regulation #: BP 5143
Subject: Availability of insurance

When to Notify: Beginning of each school year
Education Code 49510-49520,48980
Board Policy/Administrative Regulation #: BP 3553
Subject: Free and reduced price meals

When to Notify: Beginning of each school year
Education Code 51240,48980
Board Policy/Administrative Regulation #: BP 6141.2, AR 6142.1, BP 6142.8
Subject: Excuse from health/sex education due to religious belief

When to Notify: Beginning of each school year
Education Code 51550,48980
Board Policy/Administrative Regulation #: AR 6142.1
Subject: Sex education

When to Notify: Annually
Education Code 56301
Board Policy/Administrative Regulation #: BP 6164.4

Subject: Rights of all parents related to special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year
Education Code 58501
Board Policy/Administrative Regulation #: BP 6181
Subject: Alternative schools

When to Notify: Beginning of each school year
20 USC 1681-1688,42 USC 2001d-2001d-7,34 CFR 106.9
Board Policy/Administrative Regulation #: BP 0410
Subject: Nondiscrimination on basis of sex, disability, ethnicity or lack of English skills

When to Notify: Annually
5 CCR 4622
Board Policy/Administrative Regulation #: AR 1312.3
Subject: Uniform complaint procedures and available appeals and civil law remedies; identity of coordinators

When to Notify: Annually to parent, teacher and employee organizations; in absence of organizations, to individuals
40 CFR 763.93
Board Policy/Administrative Regulation #: AR 3514
Subject: Availability of complete, updated management plan for asbestos-containing material in school buildings

When to Notify: Annually to parent, teacher and employee organizations; in absence of organizations, to individuals
Education Code 52075
Board Policy/Admin. Regulation #: 0200; BP/AR 1312.3
Subject: LCAP Procedures and right to file UCP Complaint

When to Notify: At beginning of school year if student had been placed in structured English immersion program

Education Code 310,5 CCR 11303

Board Policy/Administrative Regulation #: AR 6174

Subject: Immunizations

When to Notify: Before early entry to kindergarten, if offered
Education Code 48000
Board Policy/Administrative Regulation #: AR 5111
Subject: Effects, advantages and disadvantages of early entry

When to Notify: Before assigning student to opportunity school/class/program
Education Code 48637.1
Board Policy/Administrative Regulation #: BP 6182, AR 6182
Subject: Assignment to an opportunity school/class/program

When to Notify: Beginning each school year in grades 9-12 and when high school students transfers into the district
Education Code 48980,60850
Board Policy/Administrative Regulation #: AR 6146.1, 6162.52
Subject: Requirement to pass the high school exam including: date of exam, requirements for passing, consequences of not passing, and that passing is a condition of graduation

When to Notify: Beginning of each school year or before receiving instruction on AIDS, family life human sexuality, sexually transmitted diseases
Education Code 51201.5,51555
Board Policy/Administrative Regulation #: AR 6142.1, 6142.2
Subject: Explanation of the instruction; right to request specific Education Code sections

When to Notify: Prior to child participation in program
Education Code 51550,Welfare and Institutions Code 18976.5
Board Policy/Administrative Regulation #: BP 5141.41
Subject: Child abuse prevention programs

When to Notify: At least 15 days before instruction starts
Education Code 51820
Board Policy/Administrative Regulation #: AR 6142.1
Subject: Venereal disease instruction

When to Notify: Upon assessment and reassessment of English proficiency and enrollment in program of education for English language learners
Education Code 52164.1,52164.3,52173,5 CCR 4306
Board Policy/Administrative Regulation #: BP 6174, AR 6174

Subject: Program of education for English language learners

When to Notify: Within 20 working days of receiving results of standardized achievement tests

Education Code 60641,5 CCR 863

Board Policy/Administrative Regulation #: AR 6162.51

Subject: Results of tests; test purpose, individual score and intended use

When to Notify: When child is enrolled in kindergarten

Health and Safety Code 124085,124100

Board Policy/Administrative Regulation #: BP 5141.32

Subject: Health screening examination

When to Notify: Prior student participation in program

5 CCR 3831

Board Policy/Administrative Regulation #: AR 6172

Subject: Gifted and talented student program

When to Notify: To students in grades 11 and 12, early enough to enable registration for current fall test

5 CCR 11523

Board Policy/Administrative Regulation #: AR 6146.2

Subject: Notice of proficiency examination provided under Education Code 48412

When to Notify: When child is selected to participate in Title I program

20 USC 6319

Board Policy/Administrative Regulation #: AR 6171

Subject: Parent's right to help design and implement Title I programs

III. When Special Circumstances Occur

When to Notify: Upon receipt of a complaint alleging discrimination

Education Code 262.3

Subject: Intended use of pesticide product

When to Notify: At least six months before implementing a schoolwide uniform policy

Education Code 35178.4, 35183

Board Policy/Administrative Regulation #: AR 5132

Subject: Dress code policy requiring schoolwide uniform

When to Notify: When student transfers into the district

Education Code 35291,35291.5

Board Policy/Administrative Regulation #: BP 5131, BP 5144

Subject: District and site discipline rules

When to Notify: Before implementing a continuous school program

Education Code 37616

Board Policy/Administrative Regulation #: BP 6117

Subject: Continuous school program

When Board Notifies: When REMC P # < /BP 5131, BP 5144 MCID 19 > 1io3(og)10(r)dCID 19 (n EMC MCID d9

When to Notify: By May 15 after applying for transfer under alternative interdistrict attendance program

Education Code 48209.9

Board Policy/Administrative Regulation #: AR 5117.2

Subject: Final acceptance or rejection

When to Notify: When excluding a student from attendance

Education Code 48213

Board Policy/Administrative Regulation #: AR 5112.2

Subject: Reasons for exclusions; parental rights

When to Notify: When a student is classified a truant

Education Code 48260.5

Board Policy/Administrative Regulation #: AR 5113

Subject: Parental obligation

When to Notify: When a truant is referred to a SARB or probation department

Education Code 48263

Board Policy/Administrative Regulation #: AR 5113

Subject: Name and address of SARB or probation department and reason for referral

When to Notify: Prior to involuntary transfer to continuation school

Education Code 48432.5

Board Policy/Administrative Regulation #: AR 6184

Subject: Right to require a meeting prior to involuntary transfer to continuation school

When to Notify: When teacher requires parental attendance

Education Code 48900.1

Board Policy/Administrative Regulation #: AR 5144.1

Subject: Parent/guardian attendance pursuant to law

When to Notify: Prior to withholding grades, diplomas, or transcripts

Education Code 48904

Board Policy/Administrative Regulation #: AR 5125.2

Subject: Damaged school property

When to Notify: When withholding grades, diplomas or transcripts from transferring student

Education Code 48904.3

Board Policy/Administrative Regulation #: AR 5125.2

Subject: Next school will continue withholding grades, diplomas or transcripts

When to Notify: When student is released to peace officer

Education Code 48906

Board Policy/Administrative Regulation #: BP 5145.11

Subject: Release of student to peace officer

When to Notify: At time of suspension

Education Code 48911

Board Policy/Administrative Regulation #: BP 5144.1, AR 5144.1

Subject: Notice of suspension

When to Notify: When original period of suspension is extended

Education Code 48911

Board Policy/Administrative Regulation #: AR 5144.1

Subject: Extension of suspension

When to Notify: Before holding a closes session re: suspension

Education Code 48912

Board Policy/Administrative Regulation #: AR 5144.1

Subject: Intent to hold a closed session re: suspension

When to Notify: When student expelled from another district for certain acts seeks admission

Education Code 48915.1, 48918

Board Policy/Administrative Regulation #: AR 5119

Subject: Hearing re: possible danger presented by expelled student

When to Notify: When readmission is denied

Education Code 48916

Board Policy/Administrative Regulation #: AR 5144.1

Subject: Reasons for denial; determination of assigned program

When to Notify: When expulsion occurs

Education Code 48916

Board Policy/Administrative Regulation #: AR 5144.1

Subject: Description of readmission procedures

When to Notify: 10 calendar days before expulsion hearing

Education Code 48918

Board Policy/Administrative Regulation #: AR 5144.1

Subject: Notice of expulsion hearing

Education Code 49077

Board Policy/Administrative Regulation #: BP 5145.1
Subject: Permission for test questioning personal beliefs

When to Notify: When migrant education program is established
Education Code 54444.2

Board Policy/Administrative Regulation #: BP 6175, AR 6175
Subject: Parent advisory council membership composition

When to Notify: When child participates in licensed child care and development program
Health and Safety Code 1596.857

Board Policy/Administrative Regulation #: AR 5148
Subject: Parent right to enter facility

When to Notify: When sharing student immunization information with an immunization system
Health and Safety Code 120440

Board Policy/Administrative Regulation #: AR 5125
Subject: The name and address of the agency; acceptable use of the information; right to examine; right to refuse to share

When to Notify: When hearing is requested by person asked to leave school premises
Penal Code 627.5

Board Policy/Administrative Regulation #: AR 3515.2
Subject: Notice of hearing

When to Notify: When providing written decision in response to a complaint re: discrimination, special education, or noncompliance with laws regulating educational program
5 CCR 4631

Board Policy/Administrative Regulation #: AR 1312.3
Subject: Appeal rights and procedures

When to Notify: When child participates in licensed child care and development program
5 CCR 18066

Board Policy/Administrative Regulation #: AR 5148
Subject: Policies re: unexcused absences

When to Notify: When student transfers out-of-state and records are disclosed without consent pursuant to 34 CFR 99.30

34 CFR 99.34
Board Policy/Administrative Regulation #: AR 5125
Subject: Right to review records

IV.

When to Notify: Prior to participation in special education
Education Code 56346
Board Policy/Administrative Regulation #: AR 6159
Subject: Notice of IEP meetings, why participation necessary

When to Notify: 10 days before using an attorney to present arguments at state hearing
Education Code 56507
Board Policy/Administrative Regulation #: AR 6159.1
Subject: Intent to be represented by an attorney

When to Notify: Before functional behavioral assessment begins
5 CCR 3052
Board Policy/Administrative Regulation #: AR 6159.4
Subject: Notification and consent

When to Notify: Before modification of behavioral intervention plan
5 CCR 3052
Board Policy/Administrative Regulation #: AR 6159.4
Subject: Need for modification, right to question modification

When to Notify: Within one school day of emergency intervention or serious property damage
5 CCR 3052
Board Policy/Administrative Regulation #: AR 6159.4
Subject: Emergency intervention

When to Notify: Whenever there is a proposal or refusal to initiate or change the identification, evaluation or placement
20 USC 1415(c), 34 CFR 300.503
Board Policy/Administrative Regulation #: AR 6159.1
Subject: Prior written notice

When to Notify: Initial referral for evaluation
20 USC 1415(d)
Board Policy/Administrative Regulation #: AR 6159.1
Subject: Procedural safeguards notice

When to Notify: Notification of IEP meeting
20 USC 1415(d)
Board Policy/Administrative Regulation #: AR 6159.1

Subject: Procedural safeguards notice

When to Notify: Reevaluation of student

20 USC 1415(d)

Board Policy/Administrative Regulation #: AR 6159.1

Subject: Procedural safeguards notice

When to Notify: Registration of complaint

20 USC 1415(d)

Board Policy/Administrative Regulation #: AR 6159.1

20 USC 1415(d)