

**\*\*\*Please Note Time and Location of Meeting\*\*\***

**CONTRA COSTA COUNTY BOARD OF EDUCATION**

**Wednesday, February 25, 2014**  
**Start Time: 1:00 p.m.**

CONTRA COSTA COUNTY BOARD OF  
EDUCATION

NOTICE OF BOARD POLICY COMMITTEE  
MEETING

County Office of Education  
Board Room, Third Floor  
77 Santa Barbara, Pleasant Hill, CA 94523

*To ensure an orderly meeting and an equal opportunity for each speaker, persons wishing to address the Board must fill out a speaker's card. Cards are located at the entrance to the Board Room and should be turned in to the Clerk to the Board. \*The president may limit each speaker to three minutes and/or set a limit of twenty minutes for all speakers on any one subject, or the three-minute limit may be shortened. In accordance with the Brown Act, if a member of the public addresses an item not on the posted agenda, no discussion or action on that item may occur. The projected timeline is a projection only, not a limitation on the length of any agenda item, and may be revised at the meeting. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County Office of Education to a majority of members of the Board of Education less than 72 hours prior to that meeting are available for public inspection at 77 Santa Barbara Road, Pleasant Hill, California, during normal business hours. The County Board of Education will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Clerk to the Board at least 48 hours before the meeting at (925) 942-3380 or Ljoseph@cccoe.k12.ca.us.*

**AGENDA**

**PROJECTED  
TIMELINE**

**ORDER OF BUSINESS**

**1:00 p.m.**

- 1. PUBLIC COMMENT**
- 2. MEETING AGENDA**

**Information**

**Information**

**Information**

**2.1 BP 1312.3 – Uniform Complaint Procedures**

**2.2 BP 5113.1 - Chronic Absence and Truancy**

**2.3 BP 4177.5 – Use of Technology**

**4:00 p.m.**

- 3. ADJOURNMENT**



## Community Relations

### UNIFORM COMPLAINT PROCEDURES

The County Board of Education recognizes that the Contra Costa County Office of Education (CCCCOE) has responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs. The County Office of Education shall investigate and seek to resolve complaints about CCCCQE programs at the local level. Upon receipt of a written complaint regarding CCCCQE programs from an individual, public agency or organization, uniform complaint procedures shall be initiated.

~~The egeeny Superintendent/designee shall follow the UCP use the uniform complaint procedures when addressing complaints including: alleging unlawful discrimination based on ethnic group identification, race, ancestry, national origin, religion, age, sex, sexual orientation, gender, color or physical or mental disability. The agency shall also follow the uniform complaint procedures when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, vocational education, childcare and development programs, child nutrition programs, and special education programs.~~

~~The County Office of Education prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.~~

- ~~1. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying in County Office of Education programs or activities based on actual or perceived age, sex, sexual orientation, gender, gender identity, gender expression or genetic information, ethnic group identification, race, ancestry, national origin, religion, color, mentor or physical disability, marital or parental status, the perception of one or more such characteristics, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that receives or benefits from state or federal financial assistance;~~
- ~~2. Complaints alleging the County Office of Education's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities in its CCCCQE programs;~~
- ~~3. Complaints regarding the requirements for the development and adoption of a school safety plan for its CCCCQE programs, and also may be used when addressing complaints alleging failure to comply with state or federal law in the following County Office of Education programs: adult education programs, consolidated categorical aid programs, career technical and technical education and training programs;~~
- ~~4. Complaints regarding the implementation of the CCCCQE Local Control Funding Formula (LCFF). Such complaints may be filed anonymously if the complaint provides evidence~~

TABLE

DRAFT

or information leading to evidence to support an allegation of noncompliance.

The County Office of Education acknowledges and respects student and employee rights to privacy. Discrimination, sexual harassment or other similar 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 County Office of Education on a case-by-case basis.

This policy prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.

The County Board and Superintendent encourage the early, informal resolution of complaints at the site level whenever possible.

In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

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 County Superintendent of Schools or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs related to or involved in the investigation for which they are responsible. Employees designated to investigate complaints may have access to legal counsel as determined by the County Office of Education.

This policy and related Administrative Guidelines are intended to comply with Title 5 of the California Code of regulations, 4600 et seq., and are not intended to extend beyond such requirements.

Legal Reference:

EDUCATION CODE

- 200-262.4 Prohibition of discrimination
- 8200-8498 Child care and development programs
- 8500-8538 Adult basic education
- 18100-18203 School libraries
- 32289 School safety plan, uniform complaint procedures
- 35186 Williams uniform complaint procedures
- 37254 Intensive instruction and services for students who have not passed exit exam

DRAFT

41500-41513 Categorical education block grants  
48985 Notices in language other than English  
49010-49013 Student fees  
49060-49079 Student records  
49490-49590 Child nutrition programs  
52075 Local control and accountability plans  
52300-52499.6 Career technical education  
52500-52616.24 Adult schools  
52800-52870 School-based coordinated programs  
54000-54041 Economic impact aid programs  
54400-54425 Compensatory education programs  
56000-56885 Special education programs  
59000-59300 Special schools and centers  
64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state  
12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime: definition  
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section  
4600-4671 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs  
UNITED STATES CODE, TITLE 20  
6301-6577 Title I basic programs  
6601-6777 Title II preparing and recruiting high quality teachers and principals  
6801-6871 Title III language instruction for limited English proficient and immigrant

students

7101-7184 Safe and Drug-Free Schools and Communities Act  
7201-7283g Title V promoting informed parental choice and innovative programs  
7301-7372 Title V rural and low-income school programs

Policy adopted:            November 16, 1994

Policy amended:        February 8, 1995

June 19, 2002

May 24, 2006

**Community Relations****UNIFORM COMPLAINT PROCEDURES (continued)**

The County Office of Education recognizes that a neutral mediator can often suggest an early compromise that is agreeable to all parties in a dispute. Whenever all parties to a complaint agree to try to resolve their problem through mediation, the Superintendent or designee shall initiate a non-binding mediation process before beginning a formal compliance investigation. Any information arising as a result of the investigation shall be privileged and shall not be used in any later proceeding. The County Office of Education shall ensure that mediation results are consistent with state and federal laws and regulations.

<i>Legal References:</i>	<u>EDUCATION CODE</u>
	<u>200-262.3 Prohibition of Discrimination</u>
	<u>35146 Closed Sessions</u>
	<u>35160.5 Requirement of School District Policies: Parental Complaints re: Employees</u>
	<u>48985 Notices in Language Other Than English</u>
	<u>49060-49079 Student Records</u>
	<u>60650 Personal Beliefs</u>
	<u>CODE OF REGULATIONS, TITLE 5</u>
	<u>3080 Application of Section 4600-4671</u>
	<u>4600-4671 Uniform Complaint Procedures</u>
	<u>GOVERNMENT CODE</u>
	<u>54957-54957.8 Closed Sessions</u>
	<u>CIVIL RIGHTS ACT OF 1964</u>
	<u>42 U.S.C.A. Section 1000e et seq.</u>
	<u>TITLE IX, EDUCATION AMENDMENTS OF 1972</u>
	<u>20 U.S.C.S. Section 123.1g-1681 et seq.</u>
	<u>SECTION 504 REHABILITATION ACT OF 1973</u>
	<u>29 U.S.C.A. Section 721, 761</u>
	<u>EDUCATION CONSOLIDATION AND IMPROVEMENT ACT OF 1981</u>
	<u>20 U.S.C.A. Section 3801 et seq.</u>
	<u>GENERAL EDUCATION PROVISIONS ACT</u>
	<u>20 U.S.C.A. 1221 et seq., especially:</u>
	<u>FAMILY EDUCATION AND PRIVACY RIGHTS ACT OF 1994</u>
	<u>20 U.S.C.A. Section 1221-123g</u>
	<u>34 CODE OF FEDERAL REGULATIONS</u>
	<u>Section 100.7(e)</u>

DRAFT

BP-1312.3(e)

**Community Relations**

**UNIFORM COMPLAINT PROCEDURES (continued)**

*Administrative Procedures References:*

~~Policy 1150.3 Obtaining Copies of Public Records~~

~~Policy 5131 Students Conduct~~

~~Regulation 5131.8 Student Behavior Management—Special  
Education~~

~~Policy 5144 Discipline~~

~~Policy 5144.7 Sexual Harassment~~

~~Contra Costa Special Education Local Plan Area~~

~~Plan Section Appeals and Due Process~~

Policy  
adopted: November 16, 1994

Policy  
amended: February 8, 1995  
June 19, 2002  
May 24, 2006





DRAFT

BP5113.1

Chronic Absence and Truancy

Students

Formatted: No underline

School Attendance Review Board (SARB)

~~The purpose of the County School Attendance Review Board (SARB) is the diversion of school-related problems from the juvenile justice system through the coordinated efforts of schools and community agencies. The County Board of Education believes that students who are habitually truant, irregular in attendance, or insubordinate or disorderly in class should only be referred to the judicial system after all community resources have been utilized and all steps taken to assist these students. The County Board recognizes that attendance is but one of many behaviors that can affect a student's effective school participation and achievement. Therefore, efforts must be expended to improve problem attendance behaviors rather than arbitrarily punishing the child or parent. The County SARB exists to assist in implementing these beliefs.~~

Legal Reference: ~~Education Code 48320 Legislative intent, duties of board~~

~~The Governing Board believes that excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.~~

~~The Superintendent or designee shall establish a system to accurately track student attendance in order to identify individual students classified as chronic absentees and truants, as defined in law and administrative regulation.~~

~~The Superintendent or designee shall develop strategies that focus on prevention of attendance problems, which may include, but are not limited to, efforts to provide a safe and positive school environment, relevant and engaging learning experiences, school activities that help develop students' feelings of connectedness with the school, school-based health services, and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance. The Superintendent or designee also shall develop strategies that enable early outreach to students as soon as they show signs of poor attendance.~~

~~The Superintendent or designee shall work with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy. He/she also may collaborate with child welfare services, law enforcement, courts,~~

public health care agencies, other government agencies, and/or medical, mental health, and oral health care providers to ensure that alternative educational programs and nutrition, health care, and other support services are available for students and families and to intervene as necessary when students have serious attendance problems.

Students who are identified as truants shall be subject to the interventions specified in law and administrative regulation.

A student's truancy, tardiness, or other absence from school shall not be the sole basis for his/her out-of-school suspension or expulsion. Alternative disciplinary strategies and positive reinforcement for attendance shall be used whenever possible.

The Superintendent or designee shall regularly analyze data on student absence to identify patterns of absence districtwide and by school, grade level, and student population. Such data shall be used to identify common barriers to attendance, prioritize resources for intervention, and monitor progress over time. The Superintendent or designee shall periodically report this information to the Board for purposes of evaluating the effectiveness of strategies implemented to reduce chronic absence and truancy and making changes as needed. As appropriate, the Superintendent or designee also shall provide this information to key school staff and community agency partners to engage them in program evaluation and improvement and in identification of how to best allocate available community resources.

#### **School Attendance Review Board**

In accordance with law and administrative regulation, habitual truants may be referred to a school attendance review board (SARB).

The Board shall appoint members of the district's SARB, who may include, but are not limited to, a parent/guardian as well as representatives of the district, county probation department, county welfare department, county office of education, law enforcement agencies, community-based youth service centers, school guidance personnel, child welfare and attendance personnel, school or county health care personnel, and school, county, or community mental health personnel.

The district's SARB shall operate in accordance with Education Code 48320-48325 and procedures established by the Superintendent or designee.

The County Office of Education may establish a county SARB. The county SARB, if established, shall include, but need not be limited to, a parent/guardian as well as representatives of school districts, county probation department, county welfare department, county superintendent of schools, law enforcement agencies, community-based youth service centers, school guidance personnel, child welfare and attendance personnel, school or county health care personnel, and school, county, or community mental health personnel.

The Board may submit a nomination to the County Superintendent of Schools for a person who will serve on the county SARB as a representative of school districts.

DRAFT

If a county school attendance review board exists, the county superintendent of schools shall, at the beginning of each school year, convene a meeting of the county school attendance review board for the purpose of adopting plans to promote interagency and community cooperation and to reduce the duplication of services provided to youth who have serious school attendance and behavior problems.

The county school attendance review board may elect, pursuant to regulations adopted pursuant to Section 48324, one member as chairperson with responsibility for coordinating services of the county SARB.

The county SARB may provide consultant services to, and coordinate activities of, local school attendance review boards in meeting the special needs of pupils with school attendance or school behavior problems.

The county SARB may conduct hearings, as appropriate, for students who are served in county operated programs, such as community schools and county authorized charter schools.

Legal Reference:

EDUCATION CODE

- 1740 Employment of personnel to supervise attendance (county superintendent)
- 37223 Weekend classes
- 41601 Reports of average daily attendance
- 46000 Records (attendance)
- 46010-46014 Absences
- 46110-46119 Attendance in kindergarten and elementary schools
- 46140-46147 Attendance in junior high and high schools
- 48200-48208 Children ages 6-18 (compulsory full-time attendance)
- 48225.5 Work permits, entertainment and allied industries
- 48240-48246 Supervisors of attendance
- 48260-48273 Truants
- 48290-48296 Failure to comply; complaints against parents
- 48320-48325 School attendance review boards
- 48340-48341 Improvement of student attendance
- 48400-48403 Compulsory continuation education
- 48900 Suspension and expulsion
- 49067 Unexcused absences as cause of failing grade
- 60901 Chronic absence

GOVERNMENT CODE

- 54950-54963 The Ralph M. Brown Act

PENAL CODE

- 270.1 Chronic truancy; parent/guardian misdemeanor
- 272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy
- 830.1 Peace officers

DRAFT

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

Policy adopted: November 18, 1987

**DRAFT**  
4177.5 BP

## **Personnel – All Personnel**

### **Board Member Use of Technology**

The Contra Costa County Superintendent of Schools recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community, supporting Contra Costa County Office of Education and school operations, and improving access to and exchange of information. The CCCOE expects all Board Members to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, Board Members shall receive professional development in the appropriate use of these resources.

Board Members shall be responsible for the appropriate use of technology and shall use the CCCOE's technological resources primarily for purposes related to their elected capacity as a Board Trustee.

Board Members shall be notified that computer files and electronic communications, including email and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or CCCOE operations without authority.

### **Online/Internet Services**

The County Superintendent or designee shall ensure that all CCCOE computers with Internet access while using the CCCOE Network have a technology protection measure that prevents access to visual depictions that are obscene or child pornography and that the operation of such measures is enforced. The County Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 6777; 47 USC 254)

To ensure proper use, the County Superintendent or designee may monitor Board Member usage of technological resources, including the accessing of email and stored files. Monitoring may occur at any time without advance notice or consent. When passwords are used, they must be known to the County Superintendent or designee, so that he/she may have system access.

7

SECRET

**DRAFT**

**BOARD MEMBER USE OF TECHNOLOGY (continued)**

The County Superintendent or designee shall establish administrative regulations and an Acceptable Use Agreement, which outline Board Member obligations and responsibilities related to the use of CCCOE technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the Board Members user privileges, and/or legal action in accordance with law.

4177.5 AR CCCOE Board Member Acceptable Use Agreement

Board Members shall be required to acknowledge in writing that they have read and understood the CCCOE's Acceptable Use Agreement.

*Legal Reference:*

EDUCATION

CODE

51870-51874 *Education technology*

52270-52272 *Education technology and professional development grants*

52295.10-52295.55 *Implementation of Enhancing Education Through Technology grant program*

GOVERNMENT CODE

3543.1 *Rights of employee organizations*

PENAL CODE

502 *Computer crimes, remedies*

632 *Eavesdropping on or recording confidential communications*

VEHICLE CODE

23123 *Wireless telephones in vehicles*

23123.5 *Mobile communication devices; text messaging while driving*

23125 *Wireless telephones in school buses*

UNITED STATES CODE, TITLE 20

6751-6777 *Enhancing Education Through Technology Act, Title II, Part D, especially:*

6777 *Internet safety*

UNITED STATES CODE, TITLE 47

254 *Universal service discounts (E-rate)*

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 *Internet safety policy and technology protection measures, E-rate discounts*

