

DRAFT

Fresno Unified Board Policy (BP) 0440.1

Use Of District Technology, Networks, Internet Services And Information Services

The Governing Board recognizes the value of technology, networks, and Internet services in helping the district achieve its educational purposes. The use of technology, networks, and Internet services can enhance the educational program and help students develop the knowledge and skills they need to be successful. In addition, the use of technology, networks, Internet services and information services can help staff support the educational program, strengthen district communications, and improve operational efficiency.

The district provides technology, networks, Internet services and information services for the specific and limited purpose of achieving the district's goals and accomplishing its educational and organizational purposes.

The Superintendent or designee shall develop specific regulations and appropriate disciplinary actions regarding use of district **technology, including the use of artificial intelligence (AI) technologies. technology, networks, Internet services and information services.** The regulations shall address access by students, employees and authorized guests to the Internet and on-line sites that contain or make reference to harmful matter as defined in subdivision (a) of Penal Code Section 313.

District technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the district, whether accessed on or off site or through district-owned or personally owned equipment or **devices**, including tablets and laptops; **computer** servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the **Internet**; email **and collaboration tools**; applications (apps), including AI technologies; telephones, cellular or mobile telephones, smartphones, smart devices, and wearable technology; or any wireless **communication device**, including radios.

~~1. — Technology is defined as personal digital assistants (PDA), cell phones, computers, computer peripherals, digital cameras, video cameras, two-way communication devices, pagers, Internet appliances and any electronic devices attached to the district's networks.~~

~~2. — Networks are defined as the infrastructure necessary to transport voice, data, or video networks within the district.~~

~~3. — Internet Services are defined as any services provided by the district, which gives access to the Internet.~~

~~4. — Information Services are defined as those electronic resources necessary to conduct the district's business.~~

~~5.~~ Harmful matter includes, but is not limited to, matters, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes in a patently offensive way sexual conduct which lacks serious literary, artistic, political or scientific value to minors. **(Penal Code 313)**

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The 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 7131; 47 USC 254)

The Superintendent or designee shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and managing suspicious and/or threatening digital media content, in accordance with Board Policy 3580 District Records. Employees shall report any security problem or misuse of district technology to the Superintendent or designee.

(cf. 5144 - Discipline)

Legal Reference:

Gov. Code 11549.3 Cybersecurity

EDUCATION CODE

51006 Computer education and resources

51007 Programs to strengthen technological skills

60011 Instructional materials definition

60017.1 Technology-based materials

60044 Prohibited instructional materials

Penal Code

313 Harmful matter

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 15

6501-6506 Children's Online Privacy Protection Act

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy Protection Act

UNITED STATES CODE, TITLE 20

6801-7005 Technology for Education Act of 1994

7101-7122 Student Support and Academic Enrichment Grants

254 Children's Internet Protection Plan (CIPA) of 2001 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 47

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

CSBA PUBLICATIONS

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: January 16, 2002 Fresno, California

revised: Fall __, 2025

Policy Section: 0000 Philosophy, Goals, Objectives and Comprehensive Plans

Fresno Unified Board Policy (BP) 1250

Visitors/Outsiders

The Governing Board believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in ~~view~~ the educational program consistent with this Board policy, the accompanying administrative regulation, and any procedures established by the Superintendent or designee.

(cf. 1240 - Volunteer Assistance)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

To ensure the safety of students and staff and minimum interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be first arranged with the ~~teacher and~~ principal or designee. When a visit involves ~~if~~ a conference ~~is desired~~ with a teacher or the principal, an appointment should be scheduled during noninstructional time.

(cf. 6116 - Classroom Interruptions)

To ensure the safety of students and staff and to avoid potential disruptions, any person who is not a student or staff member shall register immediately as a visitor upon entering any school building or grounds when school is in session. Additionally, a visitor upon entering any district buildings and district facilities is required to register.

For purposes of school safety and security, the principal or designee shall ~~may~~ provide a visible means of identification for all individuals who are not students or staff members while on school premises.

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

(cf. 1112 - Media Relations)
(cf. 3515.2 - Disruptions)

~~Any visitor who is in a school building or on school grounds when school is in session shall~~ ~~The Board encourages all individuals to assist in maintaining a safe and secure school environment by~~ behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code 626.7 and Administrative Regulation 3515.2 - Disruptions, the principal or designee shall ~~may~~ request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

(cf. 1265 – Civility Policy)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3515.2 - Disruptions)

Presence of Sex Offender on Campus

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a district student, shall request written permission from the principal before entering the school campus or grounds, in accordance with Board Policy and Administrative Regulation 3515.5 - Sex Offender Notification. The principal shall report to the Superintendent or designee anytime such a

request is received and notify the Superintendent or designee if permission is granted or denied. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime they grant such written permission.

The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (Penal Code 626.81)

~~Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.~~

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes; misdemeanor

32212 Classroom interruptions

35160 Authority of governing boards

35292 Visits to schools (board members)

49091.10 Parental right to inspect instructional materials and observe school activities

51101 Parents Rights Act of 2002

51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off to participate in child's educational activities

PENAL CODE

290 Sex Offenders

626-626.1 **10 Weapons on school grounds and other school crimes Schools**

626.81 Misdemeanor for registered sex offender to come onto school grounds

627-627.10 Access to school premises, ~~especially~~

627.1 Definitions

627.2 Necessity of registration by outsider

627.7 Misdemeanors; punishment

COURT DECISIONS

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

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

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: November 26, 1991 Fresno, California

revised: October 27, 1999

reviewed: March 9, 2005

revised: June 17, 2020

revised: Spring __, 2025

Policy Section: 1000 Community Relations

Fresno Unified Board Policy (BP) 3515.5 Sex Offender **Information** Notification

In order to protect students while they are traveling to and from school, attending school or at a school-related activity, the Governing Board believes it is important that the district respond appropriately when a law enforcement agency contacts the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent's designee, ~~the Director of Student Services~~, shall establish an ongoing relationship with law enforcement officials to coordinate the receipt **and dissemination** of such information. **To the extent authorized by law**, ~~the~~ Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

Any district employee to whom sex offender information is disclosed by a law enforcement entity shall disclose the information only when authorized by the law enforcement entity and in the manner authorized.

Per Penal Code 290, ~~the~~ district and its employees shall be immune from **civil** liability for the good faith dissemination of sex offender information **received from** ~~provided by~~ a law enforcement agency or an employee of a law enforcement agency, **as so** long as the dissemination is in the manner and to the extent authorized by the law enforcement agency. (Penal Code 290)

The Superintendent's designee, ~~the Director of Student Services~~, ~~shall~~ may annually notify parents/guardians of **the availability of information about registered sex offenders on the Department of Justice's Megan's Law website** ~~district's planned response to this situation~~.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3515 - Campus Security)
(cf. 3515.2 – Disruptions)
(cf. 3515.3 - District Police Department)
(cf. 4112 – Appointment And Conditions of Employment)
(cf. 4212 – Appointment And Conditions of Employment)
(cf. 4231 – Staff Development)
(cf. 5142 - Safety)
(cf. 5145.6 – Parent/Guardian Notifications)

Role of District **Safety and Security** Department

When a registered sex offender's email address or username used for instant messaging or social networking or other internet identifier, as defined in Penal Code 290.024, is submitted to the district **safety and security department, such information shall only be used by the department or released to another law enforcement entity for the purpose of investigating a sex-related crime, a kidnapping, or human trafficking. No other disclosure shall be made or authorized by the department, except as required by a court order. (Penal Code 290.45)**

The district **safety and security department shall maintain records of the means and dates of dissemination for five years. (Penal Code 290.45)**

Legal Reference:
EDUCATION CODE
32211 Threatened disruption or interference with classes; offense
35160 Authority of boards
35160.1 Board authority of school districts

48981 Parental notifications

48985 Translation of notifications

PENAL CODE

290 Registration of sex offenders

290.024 Internet identifiers; definition

290.4 Information regarding sex offenders Sex offender registration; compilation of information; 900 number

290.45 Sex offenders; authority of peace officers to provide information

290.46 Making information about certain sex offenders available via the Internet

290.9 Addresses of persons who violate duty to register

290.95 Disclosure by person required to register as sex offender

3003 Parole; geographic placement

626.8 Disruptions Disruptive entry or entry of sex offender upon school grounds

626.81 Sex offender; permission to volunteer at school

830.32 School district and community college police

UNITED STATES CODE, TITLE 42

14071 Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program Act

ATTORNEY GENERAL OPINIONS

82 Ops. Cal. Atty. Gen. 20 (1999) Management Resources:

WEB SITES

California Department of Justice: <http://www.caag.state.ca.us>

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: February 12, 1998 Fresno, California

revised: September 22, 1999

revised: Spring__, 2025

Policy Section: 3000 Business and Noninstructional Operations

Fresno Unified Board Policy (BP) 5113

Absences And Excuses

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws and may use appropriate legal means to correct problems of chronic absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)
(cf. 5112.2 - Exclusions from Attendance)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6154 - Homework/Makeup Work)

Excused Absences

In accordance with law, board policy, and administrative regulation, absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, ~~as permitted by law and Board policy and specified in administration regulations,~~ **and work in the entertainment or allied industry as permitted pursuant to law** (Education Code 48205, 48225.5)

When a student's absence from school is excused, the student's teacher shall determine identical or reasonably equivalent assignments and tests to those missed during the absence which the student shall be permitted to complete for full credit within a reasonable amount of time as determined by the teacher. (Education Code 48205, 48225.5)

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulation. (Education Code 46014)

School attendance and class participation are integral to students' learning experiences, parents/guardians and students shall be encouraged to schedule medical and other appointments during non-school hours.

Students shall not be absent from school without their parent's/guardians' knowledge or consent, except in cases of medical emergency or, as authorized pursuant to Education Code 46010.1, for a confidential medical appointment.

The Board shall, by resolution entered into its minutes, approve reasonable methods that may be used to verify student absences due to illness or quarantine. (5 CCR 421)

~~Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.~~

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

2550-2558.6 Computation of revenue limits

37201 School month

37223 Weekend classes

48225.5 Work permit; excused absence; entertainment or allied industries; participation in not-for-profit performing arts organization

48980 Parent/Guardian notifications

41601 Reports of average daily attendance

42238-42250.1 Apportionments

46000 Records (attendance)

46010-46014 Absences

46100-46119 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)

48210-48216 Exclusions from attendance
48240-48246 Supervisors of attendance
48260-48273 Truants
48292 Filing complaint against parent
48320-48324 School attendance review boards
48340-48341 Improvement of student attendance
49067 Unexcused absences as cause of failing grade
49701 Provisions of the interstate compact on educational opportunities for military children
ELECTIONS CODE
12302 Student participation on precinct boards
FAMILY CODE
6920-6929 Consent by minor
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

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen 168 (2004)

66 Ops.Cal.Atty.Gen. 245, 249 (1983) COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

FRESNO UNIFIED SCHOOL DISTRICT

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revised: May 31, 2017

revised: Spring __, 2025

Policy Section: 5000 Students

Fresno Unified Board Policy (BP) 5113.1

Chronic Absence and Truancy

The Governing Board believes that absenteeism, whatever the cause, 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, **and that students who are identified as chronically absent or truant receive appropriate support services and interventions as early as possible.**

(cf. 5113 - Absences and Excuses)
(cf. 5113.11 - Attendance Supervision)

The Superintendent or designee shall establish a system to accurately track student attendance in order to identify individual students who are chronic absentees and truants, as defined in law and administrative regulation, and to identify patterns of absence throughout the district.

The Superintendent, attendance supervisor, or designee shall consult with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy, **including in relation to grade level and student subgroup patterns of chronic absence and truancy.**

The Superintendent, attendance supervisor, or designee shall develop a tiered approach to reducing chronic absence. Such an approach shall include strategies for preventing 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, letters alerting parents/guardians to the value of regular school attendance, **including the use of bilingual aides and communication in the primary language used by parents/guardians** and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance.

The tiered approach shall also provide for early outreach to students as soon as they show signs of poor attendance or if they were chronically absent in the prior school year. Early intervention may include personalized outreach, individual attendance plans, and/or mentoring to students with moderate levels of chronic absence, with additional intensive, interagency wrap-around services for students with the highest level of absence.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5126 - Awards for Achievement)
(cf. 5131 - Conduct)
(cf. 5131.2 - Anti-Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5141.6 - School-Based Health and Social Services)
(cf. 5145.3 - Nondiscrimination/Harassment)

Students with serious attendance problems shall be provided with interventions specific to their needs which may include, but are not limited to, health care referrals, transportation assistance, counseling **including trauma-informed practices** for mental or emotional difficulties, academic supports, efforts to address school or community safety concerns, discussions with the student and parent/guardian about their attitudes regarding schooling, or other strategies to remove identified barriers to school attendance. The Superintendent, attendance supervisor, or designee 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 make alternative educational programs and nutrition, health care, and other support services are available for students and families.

To provide students with an opportunity to make up lost instructional time and offset absences, the Superintendent or designee may implement an attendance recovery program for students in grades transitional kindergarten-12. Any such attendance recovery program shall be operated in accordance with Education Code 46211 and as specified in the accompanying administrative regulation.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5030 - Student Wellness)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5147 - Dropout Prevention)
(cf. 6158 - Independent Study)
(cf. 6164.2 - Guidance Services)
(cf. 6164.5 - Student Success Teams)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education of Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6175 - Migrant Education Program)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

The Superintendent or designee shall ensure that staff assigned to fulfill attendance-related duties are trained in implementing a trauma-informed approach to chronic absence and receive information about the high correlation between chronic absence and exposure to adverse childhood experiences.

(cf. 4131 - Staff Development)

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

(cf. 5113.12 - District School Attendance Review Board)

A student's truancy, tardiness, or other absence from school shall not be the basis for suspension or expulsion. Alternative strategies and positive reinforcement for attendance shall be used whenever possible.

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

The Superintendent, attendance supervisor, or designee shall periodically report to the Board regarding student attendance patterns in the district, including rates of chronic absence and truancy districtwide and for each school, grade level, and numerically significant student subgroup as defined in Education Code 52052. Such information shall be used to evaluate the effectiveness of strategies implemented to reduce chronic absence and truancy and to develop annual goals and specific actions for student attendance and engagement to be included in the district's local control and accountability plan and other applicable school and district plans. As appropriate, the Superintendent or designee also shall engage school staff in program evaluation and improvement and in the determination of how to best allocate available community resources.

(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 0500 - Accountability)

~~Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.~~

Legal Reference:
EDUCATION CODE
1740-1742 Employment of personnel to supervise attendance (county superintendent)
37223 Weekend classes

44266 Pupil Personnel Services credential

46000 Records (attendance)
46010-46015 Absences
46110-46119 Attendance in kindergarten and elementary schools
46140-46149 Attendance in junior high and high schools
46210-46211 Attendance recovery programs
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
48290-48297 Failure to comply; complaints against parents
48320-48325 School attendance review boards
48326 Absence intervention teams
48340-48341 Improvement of student attendance
48400-48403 Compulsory continuation education
48900 **Grounds for** Suspension and expulsion
49067 Unexcused absences as cause of failing grade
52052 Accountability; numerically significant student subgroups
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
VEHICLE CODE
~~13202.7 Driving privileges; minors; suspension or delay for habitual truancy~~
WELFARE AND INSTITUTIONS CODE
256-258 Juvenile hearing officer
601-601.54 Habitually truant minors
11253.5 Compulsory school attendance; **eligibility for aid**
CODE OF REGULATIONS, TITLE 5
306 Explanation of absence
420-4244 Record of verification of absence due to illness and other causes
COURT DECISIONS
L.A. v. Superior Court of San Diego County, (2012) 209 Cal.App.4th 976

WEB SITES

Attendance Works: <http://www.attendanceworks.org>
California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org> California Department of Education:
<http://www.cde.ca.gov>
California Healthy Kids Survey: <http://chks.wested.org>
California School Climate, Health, and Learning Survey System: <http://www.cal-schls.wested.org>

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: June 5, 2013 Fresno, California

revised: May 30, 2018

revised: January 20, 2021

revised: Spring ___, 2025

Policy Section: 5000 Students

Fresno Unified Board Policy (BP) 5131

Conduct

The Governing Board believes that all students have the right to be educated in a **safe and** positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131.1 - Bus Conduct)
(cf. 5137 - Positive School Climate)
(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5142 - Safety)

2. **Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program**

(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

- 3. 2.** Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

- ~~3. — Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing, or initiation activity, extortion, or any other verbal, written or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program~~

~~*(cf. 5131.2 - Bullying)*
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)~~

4. **Willful defiance of staff's authority** ~~Damage to or theft of property belonging to the students, staff or the district~~

5. **Damage to or theft of property belonging to the students, staff or the district** Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)

~~Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid~~

~~instructional or other school-related purpose.~~

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism, Theft and Graffiti)

6. Obscene acts or use of profane, vulgar, or abusive language

(cf. 5145.2 - Freedom of Speech/Expression)

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substance ~~Plagiarism or dishonesty on school work or tests~~

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)

8. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27) ~~Wearing of any attire that violates district or school dress codes, including gang-related apparel~~

9. Use of a smartphone or other mobile communication device in an unauthorized manner ~~Tardiness and unexcused absence from school~~

(cf. 5131.8 - Mobile Communication Devices)
(cf. 6163.4 - Student Use of Technology)

10. Plagiarism or dishonesty on school work or tests ~~Failure to remain on school premises in accordance with school rules~~

(cf. 5131.9 - Academic Honesty)
(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 5112.5 - Open/Closed Campus)

11. Wearing of any attire that violates district or school dress codes, including gang-related apparel ~~Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs~~

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)
(cf. 5132 - Dress and Grooming)
(cf. 5136 - Gangs)

12. Tardiness and unexcused absence from school ~~Willful defiance of staff's authority~~

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5113.11 - Attendance Supervision)
(cf. 5113.12 - District School Attendance Review Board)

13. Failure to remain on school premises in accordance with school rules ~~Use of a cell phone, smart watch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy~~

(cf. 5131.8 - Mobile Communication Devices)
(cf. 6163.4 - Student Use of Technology)
(cf. 5112.5 - Open/Closed Campus)

14. Other conduct prohibited by Education Code 48900-48915-48915

~~No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health (Education Code 48901.5)~~

Employees are expected to enforce standards of conduct and, when they observe or receive a report ~~or become aware~~ of a violation of these standards, to ~~appropriately intervene immediately intervene~~ or ~~seek call for~~ assistance. As necessary, the ~~if an~~ employee ~~believes a matter has not been resolved, they~~ shall refer the matter to ~~their a~~ supervisor or the principal or designee.

When a school employee suspects that a search of a student or ~~their a student's~~ belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12 - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in any unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5127 - Graduation Ceremonies and Activities)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6020 - Parent Involvement)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)*

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

~~Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.~~

Legal Reference:
EDUCATION CODE
200-27062-4 Prohibition of discrimination
32280-32289.5 School Comprehensive safety plans
35181 Governing board authority to set policy on responsibilities of students
35291-35291.5 Rules
44807 Teachers Duty concerning conduct of students
48900-48925 Suspension and expulsion
51512 Prohibition against electronic listening or recording device in classroom without Permission
CIVIL CODE
1714.1 Liability of parents and guardians for willful misconduct of minor
PENAL CODE
288.2 Harmful matter with intent to seduce
313 Harmful matter
417.25-417.27 Laser scope or laser pointer
647 Use of camera or other instrument to invade person's privacy; misdemeanor
653.2 Electronic communication devices, threats to safety
VEHICLE CODE
23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 2042

20 USC 1681-1688 Title IX, 1972 Education Act Amendments, discrimination based on sex

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

New Jersey v. T.L.O., (1985) 469 U.S. 325

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Lavine v. Blaine School District, (2001, 9th Cir.) 257 F.3d 981

Management Resources:

CSBA PUBLICATIONS WEBSITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss/>

Center for Safe and Responsible Internet use: <http://www.ewa.org/organization/center-safe-and-responsible-internet-use> National School Safety Center:

<http://www.schoolsafety.us>

U.S. Department of Education: <http://www.ed.gov>

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: July 8, 1993 Fresno, California

revised: March 22, 2000

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revised: June 1, 2016

revised: March 17, 2021

revised: Spring __, 2025

Policy Section: 5000 Students

Fresno Unified Board Policy (BP) 5144

Discipline

The Governing Board is committed to providing a safe, supportive and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

The superintendent or designee shall develop effective, age appropriate strategies for maintaining a positive school climate and responding appropriately to correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6164.2 - Guidance/Counseling Services)

In addition, the Superintendent or designee's strategies for responding to correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in a loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.5 - Student Success Teams)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)

A student K-6 shall not be denied recess unless the student's participation poses an immediate threat to the physical safety of the student or to the physical safety of one or more of the student's peers. If, due to such immediate threat, a student is denied recess, staff shall make all reasonable efforts to resolve the threat and minimize the student's exclusion from recess, to the greatest extent practicable. Recess is, as defined, to be at least 30 minutes on a regular school day and at least 15 minutes on early release days (Education Code 49056).

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

(cf. 5131.41 - Use of Seclusion and Restraint)

The Superintendent or designee shall create a model discipline matrix that list violations and the consequences for each as allowed by law.

The **administrative staff principal or designee** at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and **district administrative** regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 32282, 35291.5)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff, **providing interventions and supports to students, as well as** **and** the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate **support and/or** discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently and in accordance with the district's nondiscrimination policies.

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

(cf. 0415 - Equity)

(cf. 5145.3- Nondiscrimination/Harassment)

(cf. 5145.7- Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively and equitably implement the disciplinary strategies adopted for district schools, including, but not limited to, knowledge of school and classroom management skills and their consistent application, effective accountability and positive intervention techniques, and the tools to form strong, cooperative relationships with parents/guardians.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety and connectedness to the school community, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

At the beginning of the school year, the Superintendent or designee shall may report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

~~Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.~~

Legal Reference:

EDUCATION CODE

32280-32289.58 School safety plans

35146 Closed sessions

35291-35291.5 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parents or guardians

49005-49006.4 Seclusion and restraint

49330-49335 Injurious objects

49550-49564.5 Meals for needy students

49055 Restorative justice practices

49056 Prohibition of denial of recess

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability of parent or guardian for act of willful child's misconduct by a minor

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

CSBA PUBLICATIONS

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: July 8, 1993 Fresno, California

revised: September 22, 1999

revised October 9, 2002

revised: June 5, 2013

revised: June 17, 2015

revised: May 30, 2018

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revised: Spring __, 2025

Policy Section: 5000 Students

Fresno Unified Board Policy (BP) 5144.1

Suspension And Expulsion/Due Process

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.3 - Anti-Bullying)
(cf. 5138.2 - Conflict Resolution)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when **their the** behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

(cf. 5112.5 - Open/Closed Campus)

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e) as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when the student's presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

No student **in grades K-8** may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled **based solely on a student's for** truancy, tardiness, or absenteeism from assigned school activities. **(Education Code 48900)**

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

Student Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in administrative regulation and law. (Education Codes 48911, 48915, 48915.5, 48918)

~~(cf. 5119 - Students Expelled from other Districts)~~

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

On-Campus Supervised Suspension Classroom

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus and may fall behind in the course work. The Board believes that in many cases, it would be better to manage the student's behavior by keeping the student at school and providing them with supervision that is separated from the regular classroom. To ensure the proper supervision and ongoing learning of students, **who are suspended** for any of the reasons enumerated in Education Code Section 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

~~The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences which restore the relationship between staff, parents/guardians and students; detention; youth court, mediation, student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.~~

Removal from Class by a Teacher and Required Parental Attendance

~~The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.~~

~~Whenever a student is removed from a class because they have committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may require that the student's parent/guardian attend a portion of a school day in that class from which the student is being suspended, to assist in resolving the classroom behavior problems. When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law. A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)~~

~~(cf. 5144.4 - Required Parental Attendance)~~

~~At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the other means of correction and supports that may be used to achieve proper student conduct.~~

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student (Education Code 48900.1)

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get release time from work.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact them by telephone, mail, email, home visits, or other method that maintains the confidentiality of the student's records. (Education Code 48900.1)

(cf. 5125 – Student Records)

District regulations and school site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

(cf. 5145.6 – Parental Notifications)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 288a, or 289, or former 288a, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following:

(Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board meeting. (Education Code 48918(j))

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

No child enrolled in a preschool program shall be expelled **or unenrolled** except under limited circumstances **in accordance with Education Code 8489.1 and** as specified in AR 5148.3 – Preschool/Early Childhood Education.

(cf. 5148.3 – Preschool/Early Childhood Education)

~~Decision Not to Enforce Expulsion Order~~

~~The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)~~

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording the student due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Codes 48911, 48915, 48915.5, 48918)

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, **long-term English learners**, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

~~Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a~~

~~group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.~~

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1983~~11.5~~ Enrollment of students in community school

~~8489~~ 8239.1 Prohibition against expulsion of preschool student

17292.5 Program for expelled students; **facilities**

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

6400-64001 Consolidated application

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 **Informal hearing procedures** **Contempt**

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-1105~~89~~ **Controlled substances**; Standards and schedules

LABOR CODE

230.7 employee time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

287~~8a~~ Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 **Crimes; harassment** **interference with exercise of civil rights**

422.7~~6~~ Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

~~626.10~~ Dirks, daggers, knives, razors or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

224.1 Indian child, definition

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearms **and ammunition**

UNITED STATES CODE, TITLE 20

1415(K) **Students with disabilities**; Placement in alternative educational setting

7961 Gun free schools **Act**

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H., (2001) 85 Cal.App.4th 1321

Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
John A. v. San Bernardino School District (1982) 33 Cal. 3d 301
ATTORNEY GENERAL OPINIONS
84 Ops.Cal.Atty.Gen. 146 (2001)
80 Ops.Cal.Atty.Gen. 348 (1997)
80 Ops.Cal.Atty.Gen. 91 (1997)
80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: September 9, 1993 Fresno, California
revised: March 22, 2000
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revised: June 17, 2015
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revised: June 17, 2020
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Policy Section: 5000 Students

Fresno Unified Board Policy (BP) 5145.3

Nondiscrimination/Harassment

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board desires to provide a welcoming, safe, and supportive school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment intimidation, and bullying, ~~targeted at~~ of any student by anyone, based on the student's actual or perceived race, color, **ancestry**; **ethnicity**; nationality; national origin; immigration status; ~~ancestry~~; ethnic group identification; **ethnicity**; age; ~~(40 and above)~~; ~~religious creed~~; religion; **pregnancy**; **childbirth**; termination of pregnancy or lactation, including related **medical conditions** or recovery; **parental, marital, and family status**; ~~political belief or affiliation~~; gender, gender identity, gender expression, ~~genetic information~~; physical or mental disability, **medical condition**; sex; ~~sexual orientation~~; sex stereotypes; sex characteristics; **sexual orientation**; **gender**; **gender identity**; **gender expression**; **or genetic information**; ~~marital status~~; ~~pregnancy or parental status~~; ~~childbirth~~; ~~breastfeeding/lactation status~~; ~~medical condition~~; ~~military and veteran status~~; or association with a person or group with one or more of these actual or perceived characteristics ~~or any other basis protected by law or regulation, in its educational program(s) or employment.~~ ~~Not all bases of discrimination will apply to both education services and employment.~~

~~This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board or body of the local educational agency, the Superintendent of the school district, and the county superintendent of schools in enacting policies and procedures that govern the local educational agency. (Education Code 234.1)~~

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6164.6 - Identification and Education under Section 504)

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the

Superintendent or designee shall ensure that the staff enforce discipline rules fairly, consistently, and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 – Discipline, Board Policy and Administrative Regulation 5144.1 – Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 – Suspension and Expulsion/Due Process (Students With Disabilities).

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates, or participates, or refuses to participate in the investigation of a complaint or report alleging unlawful discrimination, harassment, intimidation, or bullying. Staff shall be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities, or privileges. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The district shall ensure that all complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, or bullying remains confidential, as appropriate. (EC Section 234.1(g))

(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, and intimidation, and bullying and other required information on the district's website in a manner that is easily accessible to parents/guardians and students, in accordance with the law and the accompanying administrative regulation. (Education Code 234.1, 234.6; CFR 106.8)

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report their findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

The district has provided, incident to the publicizing of policies against discrimination, harassment, intimidation and bullying described in EC Section 234.1(c), to certificated school site employees who serve pupils in any of grades 7 to 12, inclusive, who are employed by the district, information on existing school site and community resources related to the support of LGBTQ+ pupils, or related to the support of pupils who may face bias or bullying on the basis of religious affiliation, or perceived religious affiliation.

(a) — School site resources may include, but are not limited to, peer support or affinity clubs and organizations, safe spaces for LGBTQ+, or other at promise pupils, counseling services, staff who have received anti-bias or other training aimed at supporting these pupils or who serve as designated support to these pupils, health and other curriculum materials that are inclusive of, and relevant to, these pupils, online training developed pursuant to EC Section 32283.5, and other policies adopted pursuant to this article, including related complaint procedures.

(b) — Community resources may include, but are not limited to, community-based organizations that provide support to LGBTQ+, or other at promise pupils and their families, and physical and mental health providers.

with experience or training in treating or supporting these pupils. (EC Section 234.1(d))

~~(cf. 1312.3 – Uniform Complaint Procedures)~~
~~(cf. 1320 – Use of Facilities)~~
~~(cf. 4121 – Staff Development)~~
~~(cf. 4231 – Staff Development)~~
~~(cf. 4331 – Staff Development)~~
~~(cf. 6145 – Extracurricular and Cocurricular Activities)~~ (cf. 6145.2 – Athletic Competition)
~~(cf. 6164.2 – Guidance/Counseling Services)~~

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include **counseling**, suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

When a student has been suspended, or other means of correction have been implemented against the student for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

~~(cf. 4118 – Suspension/Disciplinary Action)~~
~~(cf. 4119.21/4219.21/4319.21 – Professional Standards)~~
~~(cf. 4218 – Dismissal/Suspension/Disciplinary Action)~~
~~(cf. 5131 – Conduct)~~
~~(cf. 5144 – Discipline)~~
~~(cf. 5144.1 – Suspension and Expulsion/Due Process)~~
~~(cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))~~
~~(cf. 5145.2 – Freedom of Speech/Expression)~~

All Allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 – Uniform Complaint Procedures, **when required by law. However, complaints alleging sex discrimination, including sex-based harassment, under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 5145.71 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.**

Grievance Procedures

The Board hereby designates the following positions as Coordinator(s) for Nondiscrimination to ensure compliance with nondiscrimination in educational equity, to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the district's nondiscrimination policies:

Executive Director
Equity Compliance Officer
Constituent Services Office Fresno
Unified School District 2309 Tulare
Street
Fresno, California 93721
(559) 457-3736
Constituent.Services@fresnounified.org

Chief of Human Resources
Title IX Coordinator/Age Discrimination Act Fresno
Unified School District
2309 Tulare Street
Fresno, California 93721
(559) 457-3713
titleix@fresnounified.org

District 504 Coordinator Fresno Unified School
District 890 S.
10th Street Fresno, CA 93702 (559)
457-3220
504@fresnounified.org

Instructional Superintendent Special
Education Office Fresno Unified School
District
890 S. 10th Street Fresno, CA 93702 (559) 457-
3220
Spedleadership@fresnounified.org

Title II/ADA Coordinator Fresno
Unified School District 2309
Tulare Street
Fresno, CA 93721
(559) 457-3520
Accommodations@fresnounified.org

(cf. 1312.1 – Complaints Concerning District Employees)
(cf. 1312.3 – Uniform Complaint Procedures)

Any student who feels that they have been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Coordinator for Nondiscrimination, the principal, or any other staff member. Any student who observes an incident should report the incident to the Coordinator or principal, whether or not the victim files a complaint.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints brought to the attention of staff, alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

In addition, the employee shall immediately intervene when safe to do so. (Education Code 234.1)

Any complaints of discrimination or any behavior prohibited by this policy, shall be addressed in accordance with the Administrative Regulation 5145.7 Sexual Harassment.

If dissatisfied with the district's decision, the complainant may submit their appeal in writing to the Office of Constituent Services within 15 calendar days of receiving the district's decision. The written concerns shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The district shall investigate in accordance with AR 1312.3 – Uniform Complaint Procedures.

Employees who observe an incident of discrimination, harassment, intimidation, or bullying or to whom such an incident is reported shall immediately report the incident to any of the designated Coordinators for Nondiscrimination, or principal, whether or not the victim files a complaint. Upon receiving a complaint of discrimination or harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures. Where the Coordinator finds that harassment has occurred, they shall take prompt, appropriate action to end the harassment and address its effects on the victim.

The Superintendent or designee shall ensure that the student handbook clearly describes the district's

nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation, or bullying, and the resources that are available to students who feel that they have been the victim of any such behavior. The district's nondiscrimination, harassment, intimidation, and bullying policies shall readily accessible in a prominent location on the district's existing internet website in a manner that is easily accessible to parents/guardians and pupils. (EC Section 234.6(b)(8))

The district must post the established policies prohibiting discrimination, harassment, intimidation, and bullying in all schools and offices, which include staff lounges and pupil government meeting rooms. (EC Section 234.1(e); 5 CCR Section 4960(b))

The district must publicize adopted policies that prohibit discrimination, harassment, intimidation, and bullying, including information about the manner in which to file a complaint, to pupils, parents/guardians, employees, the governing board, and the general public. The information shall be translated pursuant to EC section 48985. The district shall also include a notice of nondiscrimination policies in any publications used in connection with the recruitment of pupils or employees. The district must identify the officer responsible for nondiscrimination and education equity compliance in such publicity. (EC Section 234.1(c); 5 CCR Sections 4960(b) and 4961; 34 CFR Section and 106.8)

The district shall post a link to statewide resources, including community-based organizations, which shall be readily accessible in a prominent location on the district's existing internet website in a manner that is easily accessible to parents/guardians and pupils. The district shall also include any additional information deemed important for preventing bullying and harassment. (EC Section 234.6(b)(11-12))

(cf. 1113 - District and School Web Sites) (cf. 1114 - District Sponsored Social Media) (cf. 6163.4 - Student Use of Technology)

If 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 to 12, inclusive, speak a single primary language other than English, all notices, reports, statements, and records sent to the parent/guardian of any such pupil by the district shall, in addition to being written in English, be written in the primary language, and may be responded to in either English or primary language. (EC Section 48985(a))

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-27062.4 Prohibition of discrimination

33353 California Interscholastic Federation; standardized incident form

35292.5 School restrooms; all gender restrooms

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for harassment, threats, or intimidation

48900.5 Suspension; other means of correction

48904 Liability of parent/guardian for willful student misconduct

48907 Exercise of free expression; time, place and manner rules and regulations

48950 Speech and other communication

48985 Notices to parents in language other than English

49020-49023 Athletic programs

49060-49079 Student records

51204.5 Social sciences instruction; contributions of specified groups

51500 Prohibited instruction or activity

51501 Nondiscriminatory subject matter

60010 Instructional materials; definition

60040-60052 Requirements for instructional materials

CIVIL CODE

1714.1 Liability of parent or guardian for act of willful misconduct by a minor
 PENAL CODE
 422.55 Definition of hate crime
 422.6 Crimes, harassment
 CODE OF REGULATIONS, TITLE 5
 432 Student records
 4600-46870 Uniform complaint procedures
 4900-4965 Nondiscrimination in elementary and secondary education programs receiving state or federal financial assistance
 UNITED STATES CODE, TITLE 20
 1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex
 UNITED STATES CODE, TITLE 29
 794 Section 504 of Rehabilitation Act of 1973; Section 504
 UNITED STATES CODE, TITLE 42
 12101-12213 Americans with Disabilities Act
 2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
 2000h-2- 2000h-6 Title IX of the Civil Rights Act of 1964
 6101-6107 Age Discrimination Act of 1975
 CODE OF FEDERAL REGULATIONS, TITLE 28
 35.107 Nondiscrimination on basis of disability; complaints
 CODE OF FEDERAL REGULATIONS, TITLE 34
 99.31 Disclosure of personally identifiable information
 100.3 Prohibition of discrimination on basis of race, color or national origin
 104.7 Section 504; Designation of responsible employee and adoption of grievances procedures
 104.8 Notice of Nondiscrimination on the Basis of Handicap
 106.1-106.82 Discrimination on the basis of sex; effectuating Title IX
 106.30 Discrimination on the basis of sex; definitions
 106.45 Grievance process for formal complaints of sexual harassment
 106.8 Designation of coordinator, dissemination of policy, and adoption of grievance procedures
 110.25 Prohibition of discrimination based on age
 CODE OF FEDERAL REGULATIONS, TITLE 34
 106.30 Discrimination on the basis of sex; definitions
 COURT DECISIONS
 Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
 Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources References

U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS PUBLICATIONS Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

WEB SITES

U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR>

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

Policy FRESNO UNIFIED SCHOOL DISTRICT

Adopted: August 26, 1993 Fresno, California

Revised: March 22, 2000

Revised: June 29, 2005

Revised: June 19, 2013

Revised: May 14, 2014

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Revised: November 16, 2016

Revised: December 18, 2019

Admin Reviewed: October 27, 2021

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Revised: February 21, 2024

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Revised: August 28, 2024

Revised: September 3, 2024

Revised: Spring ___, 2025

Policy Section: 5000 Students

Fresno Unified Board Policy (BP) 5145.7

Sexual Discrimination and Sex-Based Harassment

The Governing Board is committed to maintaining a welcoming, safe, and supportive school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sex discrimination and sexual-based harassment, as defined in the accompanying administrative regulation, targeted at any student by anyone. ~~The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment,~~ based on the student's actual or perceived sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy or lactation, including related medical conditions or recovery; and, parental, marital, and family status.

Additionally, the Board prohibits retaliatory behavior or action against any person who complains or testifies about conduct that reasonably may constitute sex discrimination, including sex-based harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (Education Code 220.1; 34 CFR 106.71)

The district strongly encourages students who feel that they are being or have been experienced sex discrimination, including ~~of sexual-based~~ harassment, on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of sex discrimination, including sex-based harassment, by or against a student in a district education program or activity shall report the incident to the Title IX Coordinator within one workday.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

~~Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.~~

The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and, if the district has begun grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures to be provided to the respondent, as deemed appropriate under the circumstances.

(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 – Uniform Complaint Procedures)
(cf. 5131 – Conduct)
(cf. 5131.2 – Bullying)
(cf. 5137 – Positive School Climate)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.3 – Nondiscrimination/Harassment)
(cf. 5145.71 – Title IX Sexual Harassment Complaint Procedures)

The Superintendent or designee shall ensure that all district staff are trained regarding the district's

sex discrimination and sex-based harassment policy, and that all employees receive training related to their duties under Title IX as specified in Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment. (34 CFR 106.8)

~~The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks.~~

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual **discrimination and sex-based** harassment. Such instruction and information shall include:

1. What acts and behavior constitute **sex discrimination and sex**~~ual~~-based harassment; including the fact that **sex discrimination and sex**~~ual~~-based harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure **sex discrimination and sex**~~ual~~-based harassment under any circumstance
3. Encouragement to report observed incidents of **sex discrimination and sex**~~ual~~-based harassment even when the alleged victim of the **discrimination or** harassment has not complained.
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a **sex discrimination and sex**~~ual~~-based harassment incident will be addressed separately and will not affect the manner in which the **sex discrimination and sex**~~ual~~-based harassment complaint will be received, investigated, or resolved.
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every **sex discrimination and sex**~~ual~~-based harassment allegation that involves a student, whether as the complainant, respondent, or victim of the **discrimination or** harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students.
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of **sex discrimination and sex**~~ual~~-based harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a **sex discrimination and sex**~~ual~~-based harassment complaint continues
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of **sex discrimination and sex**~~ual~~-based harassment and/or other students during an investigation.

Disciplinary Actions

Upon completion of an investigation **sex discrimination and of sex**~~ual~~-based harassment **complaint**, any student found to have engaged in **sex discrimination and/or of sex**~~ual~~-based harassment sexual violence

in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

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

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

Upon investigation of ~~sex discrimination and of sexual-based~~ harassment complaint, any employee found to have engaged in ~~sex discrimination and of sexual-based~~ harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

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

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

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

Confidentiality and Record-Keeping

~~All complaints and allegations of sexual harassment sex discrimination and/or sex-based harassment complaint, shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)~~

~~In accordance with law and district policies and regulations,~~ The Superintendent or designee shall maintain a records ~~in accordance with law, including in accordance with 34 CFR 106.8 as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, and district policies and regulations,~~ of all reported cases of ~~sexual-based~~ harassment to enable the district to monitor, address and prevent repetitive harassing behavior in ~~its district~~ schools.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-27062.4 Prohibition of discrimination ~~on the basis of sex~~

220.1 Prohibition of retaliation related to educational equity

220.3 Prohibition of disclosure of information related to student's sexual orientation, gender identity, or gender expression

220.5 Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression

35292.5 School restrooms; all gender restrooms

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 ~~Parent/Guardian notifications~~ Notice at beginning of term

48985 Notices ~~to parents, report, statements and records~~ in primary language ~~other than English~~

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

432 Student Records

4600-4670 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary educational programs ~~receiving state or federal financial assistance~~

UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights 2000d-2000d-7

Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS Q&A on Campus Sexual Misconduct, September 2017
Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016 Dear Colleague Letter: Title IX Coordinators, April 2015
Sexual Harassment: It's Not Academic, September 2008
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

California Department of Education: <http://www.cde.ca.gov>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy FRESNO UNIFIED SCHOOL DISTRICT
Adopted August 26, 1993 Fresno, California
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Revised Spring, 2025

Policy Section: 5000 Students

Fresno Unified Board Policy (BP) 5148.2 Before/After School Programs

The Governing Board desires to provide before-school and/or after-school enrichment programs that support the regular education program in a supervised environment. In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, local control and accountability plan, curriculum, and academic standards.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 5147 - Dropout Prevention)
(cf. 5148 - Child Care and Development)
(cf. 6011 - Academic Standards)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

The district's program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422, 8482.5, **8484.75, 46120**)

The district shall prioritize offering Expanded Learning Opportunities Programs (ELO) at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with ELOs across their attendance area. (Education Code 46120)

To the extent feasible, the district shall give priority to establishing **expanded learning opportunities before-school and/or after-school programs** beyond the regular school day in low-performing schools and/or programs that serve low-income and other at-risk students.

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 6020 - Parent Involvement)

Any expanded learning opportunities, including but not limited to After School Education and Safety (ASES), 21st Century Community Learning Center (21st CCLC), 21st Century High School After School Safety and Enrichment for Teens (ASSETs), ELO, or any other program to be established pursuant to Education Code 8421, 8482.3, 8484.75, or 46120, shall be approved by the Board. Additionally, the Board shall declare its operational intent to run an ELO to the Superintendent of Public Instruction as specified in Education Code 46120. (Education Code 8421, 8482.3)

The Superintendent or designee shall ensure that all staff who directly supervise students in the **any expanded learning opportunities district's before-school and/or after-school program** possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities.

(cf. 1240 - Volunteer Assistance)
(cf. 4131 - Staff Development)
(cf. 4222 - Teacher Aides/Paraprofessionals)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Each **program** before-school, after-school, summer, vacation or intersessional expanded learning **opportunity** shall include academic and enrichment elements in accordance with law and administrative

regulation, and may be used in conjunction with attendance recovery programs. In addition, each program may include support services that reinforce the educational component and promote student health and well-being.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 6142.7 - Physical Education and Activity)

A family fee may be charged to participating families based on the actual cost of services. However, for the ASSETs program, a family, as long as the fee shall be is-waived or reduced for families with students who are eligible for free or reduced-price meals. (Education Code 8422, 8482.6)

For ASES, 21st CCLC, and/or ELO, In regard to the After School Education and Safety program and/or 21st Century Community Learning Center program, no fee shall be charged for a student who is eligible for free or reduced-price meals, or a student experiencing identified as a homelessness, or foster care youth. Family fees shall be calculated on a sliding scale that considers family income and ability to pay. (Education Code 8482.6, 46120)

(cf. 3260 - Fees and Charges)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

Eligible students who are 11 or 12 years of age shall be placed in a before-school or after-school program, if and when available, rather than subsidized child-care and development services. During the time that the before-school or after-school program does not operate, such students may be provided the option of enrolling in child-care and development services in accordance with the enrollment priorities established in Administrative Regulation 5148 - Child Care and Development. (Welfare and Institutions Code 10273)

The Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

(cf. 0500 - Accountability)

Every three years, the Superintendent or designee shall review the after-school program plan, including, but not limited to, program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years in accordance with law and as specified in Board Policy/Administrative Record 3580 - District Records and Board Policy/Administrative Record 5125 - Student Records. (Education Code 8482.3, 46120)

(cf. 3580 - District Records)

~~Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.~~

Legal Reference:
8263 Eligibility and priorities for subsidized child development services
~~8263.4 Enrollment of students ages 11-12 years~~
8273.1 Family fees, exemptions
8281.5 California Prekindergarten Planning and Implementation Grant Program
8295-8305 Child development program; personnel qualifications
8350-8359.1 Programs for CalWORKS recipients
8360-8370 Personnel qualifications
8420-8428 21st Century High School After-School Safety and Enrichment Program for Teens
8482-8484.65 After School Education and Safety Program
8484.7-8484.9 21st Century Community Learning Centers
8490-8490.7 Distinguished After School Health Recognition Program

17260-17268 Plans and specifications for school facilities

17264 New construction; accommodation of before- and after-school programs

35021.3 After-school physical recreation instructors

41422 Emergency conditions

45125 Criminal record check

45330 Paraprofessionals; instructional aides

45340-45349 Paraprofessionals; instructional aides

46120 Expanded learning opportunities

48850 Intersession program; priority access to student experiencing homelessness

48853.5 Intersession program; priority access to foster youth

49024 ~~Criminal background check~~ Activity Supervisor Clearance Certificate

49430-49434 Nutrition standards

49540-49546 Child Care Food Program

49553 Free or reduced-price meals

~~60851.1 Suspension of high school exit examination~~

69430-69460 Cal Grant program

Welfare & Institutions Code

10207-10492.2 Child Care and Development Services Act

10273 Preferred placement for otherwise eligible children ages 11 or 12

UNITED STATES CODE, TITLE 20

6311 State plans

6314 Title I schoolwide programs

7171-7176 21st Century Community Learning Centers

UNITED STATES CODE, TITLE 42

1766-1766a Child and Adult Care Food Program

11434a Education for homeless children and youths

CODE OF FEDERAL REGULATIONS, TITLE 7

226.17 Child care center nutrition standards

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

~~Quality Program Improvement Plan for Expanded Learning Programs in California 2016-17, November 2016~~

~~Request for Application for Programs Proposing to Serve High School Students, September 2016-21st Century Community Learning Centers (21st CCLC) FAQs, Elementary/Middle School Programs, September 2016~~

~~A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014~~

Expanded Learning Funding Opportunities

Expanded Learning Programs Federal Program Monitoring

Early Release and Late Arrival Guidance, rev. December 2021

Quality Program Improvement Plan Instructions: Instructions for Completing a Quality Program Improvement Plan for Expanded Learning Programs in California, January 2022

After School Education and Safety, 21st Century Community Learning Centers, 21st Century High School After School Safety Enrichment for Teens Grant Programs,

Frequently Asked Questions, November 2022

Expanded Learning Opportunities Program FAQs, May 2024

Quality Standards ~~and 2014 CQI, December 2023~~ for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014

~~21st Century High School After School Safety and Enrichment for Teens Program Frequently Asked Questions, March 2012~~

~~2014 Guidance for a Quality Improvement Process, March 2024~~

California After School Physical Activity Guidelines, 2009

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Nita M. Lowey 21st Century Community Learning Centers ~~Program~~, Title IV Part B of the Elementary and Secondary Act of 1965, Nonregulatory Guidance, ~~September February 2024~~

WEB SITES

California Department of Education, Before and After School: <http://www.cde.ca.gov/ls/ba>

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

U.S. Department of Agriculture: <http://www.fns.usda.gov/cnd/care/afterschool.htm>

U.S. Department of Education: <http://www.ed.gov>

Policy FRESNO UNIFIED SCHOOL DISTRICT

Adopted: May 9, 2018

Revised: Spring __, 2025

Policy Section: 5000 Students

Fresno Unified School District Board Policy (BP) 6158

Independent Study

The Governing Board recognizes its responsibility for the education of all youths in the school system. The Board authorizes Independent Study (IS) as an optional alternative instructional strategy for eligible students whose needs may best be met through study outside of the regular classroom setting. IS shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, IS may be offered **for short- or long-term placements,** on a full-time basis or on a part-time basis in conjunction with part- or full-time classroom study.

(cf. 0420.4 - Charter Schools)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6200 - Adult Education)

The Board shall hold a public hearing when considering the scope of its existing or prospective use of independent study as an instructional strategy, its purposes in authorizing independent study, and factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students or adult education students. (Education Code 51747; 5 CCR 11701)

The Superintendent or designee may provide a variety of (IS) opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and/or an online course.

A student's participation in IS shall be voluntary. (Education Code 51747, 51749.5, **51749.6**)

(IS) for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' (IS) shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

The minimum period of time for any IS option shall be ~~three-one consecutive~~ school days.

An independent study student shall not be credited with more than one day of attendance per calendar day. (Education Code 46300)

A nutritionally adequate breakfast and lunch shall be made available at no cost to any independent study student scheduled for educational activities lasting two or more hours at a school site, resource center, meeting space, or other satellite facility, who requests a meal. (Education Code 49501.5)

General Independent Study Requirements

The Superintendent or designee may offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for participation and is likely to succeed as well as or better than the student would in the regular classroom setting.

The minimum instructional minutes shall be the same for all students at each school including students participating in independent study, except as otherwise permitted by law. (Education Code 46100)

For the 2021-22 school year, the district shall offer IS, as specified in Education Code 51745, to meet the educational needs of students unless the district has obtained a waiver. (Education Code 51745)

For the 2022-23 school year and thereafter, the Superintendent or designee may continue to offer and approve IS for an IS upon determining that the student is prepared to meet the district's requirements for IS and is likely to succeed in IS as well as or better than the student would in the regular classroom setting.

Because excessive leniency in the duration of IS assignments may result in a student falling behind peers and increase the risk of dropping out of school, IS assignments shall be completed no more than one week after assigned for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in (IS) whenever the student fails to make satisfactory educational progress and/or misses three assignments.

Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the IS program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060
2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments
3. Learning required concepts, as determined by the supervising teacher
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The Superintendent or designee shall ensure that students participating in IS are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A–G admissions criteria. (Education Code 51747)

The Superintendent or designee shall ensure that students participating in IS for ~~15~~ **16** school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten (TK), kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in an independent study program for 16 school days or more in a school year who are: (Education Code 51747)

1. Not generating attendance for more than ten percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar
2. Not participating in synchronous instructional offerings pursuant to Education Code 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span
3. In violation of their written agreement

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or who are in violation of their written agreement. This requirement only applies to students participating in an IS program for 15 16 school days or more. The procedures shall include, but are not necessarily limited to, all of the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the absence or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the IS program's impact on the student's achievement and well-being

The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from IS expeditiously, and, in no case later, than five instructional days. This requirement only applies to students participating in an IS program for 15 16 school days or more. (Education Code 51747)

The Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

~~The district shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or IS during the 2021-22 school year. This notice shall be posted on the district's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and reenrolling in IS, and the instructional time, including synchronous and asynchronous learning, that a student will have access to as part of IS. (Education Code 51747)~~

Upon the request of the parent/guardian of a student, before making a decision about enrolling or disenrolling in IS and entering into a written agreement to do so, the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, or their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in IS. (Education Code 51747)

Master Agreements

~~For the 2021-22 school year only, the district shall obtain a signed written agreement for IS no later than 30 days after the first day of instruction.~~ A written agreement shall be developed and implemented for each student participating in IS ~~for three or more consecutive school days.~~ (Education Code 46300, 51747, 5 CCR 11703)

For student participation lasting 16 school days or more, a signed written agreement shall be obtained before the student begins independent study. For student participation of 15 school days or fewer, a signed written agreement may be obtained at any time during the school year in which the independent study program takes place. (Education Code 46300, 51747)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The IS agreement for each participating student also shall include, but are not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The frequency, time, place and manner for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in IS
5. The duration of the IS agreement, including the beginning and ending dates for the student's participation in IS under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.
8. A statement that IS is an optional educational alternative in which no student may be required to participate
9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through IS only if the student is offered the alternative of classroom instruction.
10. Before the commencement of IS, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under age 18 years, the certificated employee responsible for the general supervision of IS, and all persons who have direct responsibility for providing assistance to the student.

All learning agreements shall be signed by the student, the student's parent/guardian or caregiver if the student is less than 18 years of age, the certificated employee responsible for the general supervision of independent study, and as applicable for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student. If the independent study program is projected to last for more than 15 school days, the learning agreement shall be signed before the commencement of the program. For an independent study program that is projected to last for 15 or

fewer school days, the learning agreement shall be signed at any time during the school year in which the independent study program is to take place. (Education Code 51747)

However, for the 2021-22 school year, the district shall obtain a signed written agreement for IS from the student, or the student's parent/ guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of IS, and all persons who have direct responsibility for providing assistance to the pupil, no later than 30 days after the first day of instruction

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through IS.

Course-Based Independent Study

The district's course-based IS program for students in grades K-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction
3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all relevant local and state content standards. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. The certification shall also include plans to provide opportunities for students in grades TK, kindergarten, and grades 1-3 to receive daily synchronous instruction, for students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for students in grades 9-12 to receive at least weekly synchronous instruction.
4. Students enrolled in IS courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3.
5. For each student participating in an IS course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the IS program, as indicated by their performance on applicable student-level measures of student achievement and student engagement set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher.

If satisfactory educational progress in an IS class is not being made, the teacher shall notify the student and, if the student is under age 18 years, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student, notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, a plan for outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the IS program's impact on the student's achievement and well-being.

6. Examinations shall be administered by a proctor.
7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.
8. A student shall not be required to enroll in courses included in the course-based IS program.
9. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.
10. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.
11. Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through IS.
12. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.
13. A student shall not be prohibited from participating in IS solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course.
14. A student with disabilities, as defined in Education Code 56026, shall not participate in course-based IS, unless the student's individualized education program specifically provides for that participation.
15. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based IS.
16. The district shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based IS expeditiously, and, in no case, later than five instructional days.

Learning Agreement for Course-Based Independent Study

Before enrolling a student in a course within this program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to course-based IS pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #2 3 above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
6. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.
7. A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a student who is suspended or expelled, or who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the student through course-based IS only if the student is offered the alternative of classroom instruction.
8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress.
9. The objectives and methods of study for the student's work, and the methods used to evaluate that work.
10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based IS.
11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.
12. Before the commencement of an IS course, the learning agreement shall be signed and dated by the student, the student's parent/guardian or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the IS course, and all persons who have direct responsibility for providing assistance to the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552.

However, for the 2021–22 school year only, the district shall obtain a signed written agreement for IS from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the IS course, and all persons who have direct responsibility for providing assistance to the pupil no later than 30 days after the first day of instruction.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the CDE. (Education Code 51749.6)

The student's or parent/guardian's signature shall constitute permission for the student to receive instruction through IS. (Education Code 51749.6)

The Superintendent or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6)

Student-Parent-Educator Conferences

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or if requested by a parent/guardian prior to enrollment or disenrollment from IS. (Education Code 51745.5, 51747, 51749.5)

Records for Audit Purposes

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to IS
2. A listing of the students, by grade level, program, and school, who have participated in IS, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons

Additionally, the district shall maintain documentation of hours or fraction of an hour for student work products and the time that students engaged in asynchronous instruction. (Education Code 54747.5)

5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the IS of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which IS is provided. A student who does not participate in IS on a school day shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee also shall maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for IS assignments. (Education Code 51747.5)

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747, 51749.6)

Program Evaluation

The Superintendent or designee shall annually report to the Board the number of students participating in IS, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of IS students who graduate or successfully complete IS. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

(cf. 0500 - Accountability)

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

(cf. 6162.5 - Student Assessment)

~~Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.~~

Legal Reference:

EDUCATION CODE

147610-147615 Charter school operation

17289 Exemption for facilities

41020 Requirement for annual audit

41422 Emergency conditions and apportionments

41976.2 Independent study programs; adult education funding

42238 Revenue limits

42238.05 Local control funding formula; average daily attendance

44865 Qualifications for home teachers and teachers in special classes and schools; consent to assignment

46100 Length of school day

46200-46208 Incentives for longer instructional day and year

46300-46307.10-6 Methods of computing ADA

46390-46393 Emergency average daily attendance

46600 Interdistrict attendance computation

47612.5 Independent study in charter schools

48204 Residency based on parent employment

48206.3 Home or hospital instruction; students with temporary disabilities

48220 Classes of children exempted

48340 Improvement of pupil attendance

48915 Expulsion; particular circumstances

48916.1 Educational program requirements for expelled students

48917 Suspension of expulsion order

49010 Educational activity; definition

49011 Student fees; definition

49501.5 School meals

51225.3 Requirements for high school graduation

51745-51749.36 Independent study programs

52060 Local control accountability plan

52522 Adult education alternative instructional delivery

52523 Adult education as supplement to high school curriculum

56026 Individuals with exceptional needs

58500-58512 Alternative schools and programs of choice

FAMILY CODE

6550-6552 Caregivers A

Authorization affidavits

CODE OF REGULATIONS, TITLE 5

11700-117053 Independent study

19819 State audit compliance

UNITED STATES CODE, TITLE 20

6311 State plan

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

EDUCATION AUDIT APPEALS PANEL DECISIONS

Lucerne Valley Unified School District, Case No. 03-02 (2005)

Management Resources:

CDE PUBLICATIONS

Independent Study Operations Manual, 2000 edition

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>

Policy FRESNO UNIFIED SCHOOL DISTRICT
Adopted: March 26, 1992 Fresno, California
Reviewed: August 25, 1999
Revised: August 24, 2005
Revised: June 1, 2016
Revised: August 11, 2021
Revised: Spring __, 2025

Policy Section: 6000 Instruction

Fresno Unified Board Policy (BP) 6163.4

Student Use Of Technology

The Governing Board believes that effective use of technology is integral to the education and development of students. ~~resources provided by the district be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning.~~ In order to promote digital citizenship, ~~the Board also recognizes that students must have access to the latest digital tools and receive instruction that allows students to positively engage with technology in ways that respect human rights and avoids internet dangers.~~ ~~provides ways to access the most current and extensive sources of information.~~ Technology ~~also enables~~ resources provided to students, including technology based on artificial intelligence (AI), shall be aligned to district goals, objectives, and academic standards. ~~to practice skills and to develop reasoning and problem-solving abilities. In addition, electronic information services foster workplace skills that may be transferable to new technologies. Every effort shall be made to provide equal access to technology throughout the district's schools and classes.~~ The use of technology shall augment the use of Board adopted instructional materials.

The Board **intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning.** Students shall be allowed to use such technology, including AI technology, in accordance with district policies, including, but not limited to, policies on academic honesty, data privacy, nondiscrimination, and copyright protections. All students using these resources shall receive instruction in the proper and appropriate use of technology. Such instruction shall incorporate students' responsibilities regarding academic honesty, honoring copyright provisions, assessing the reliability and accuracy of information, protecting personal data, and the potential for biases and errors in artificially generated content.

District technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the district, whether accessed on or off site or through district-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the internet; email and **collaboration tools**; applications (apps), including AI apps; telephones, cellular telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios. **While personal devices themselves are not considered district technology, all activities conducted on these devices while connected to district resources, networks, or services are subject to this policy.**

Teachers, administrators, and library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students. **To ensure quality teacher and student experience, compliance with student data privacy laws, and Title II of the Americans with Disabilities Act (ADA) compliance, all new digital resources are vetted through a digital resource review process.**

(cf. 0440 – District Technology Plan)

(cf. 6010 – Goals and Objectives)

(cf. 0440.1 - Use Of District Technology, Networks, Internet Services And Information Services) (cf. 5131 - Conduct)

(cf. 6163.1 – Library Media Centers)

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district **computers technology**, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district's Acceptable Use Policy.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5144 - Discipline)

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

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

(cf. 5145.12 - Search and Seizure)

Before a student is authorized to use the district's technology **ical resources**, the student and **his/her** the **student's** parent/guardian shall **review sign and return** the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and **his/her** the **student's** parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures, violations of copy restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that the use of district technology, as defined above, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in the use of district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6.

Whenever a student is found to have violated board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and board policy.

(cf. 6162.6 - Use of Copyrighted Materials)

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the district's technological resources and to help ensure that the district adapts to changing technologies and circumstances.

Use of District Computers for Online Services/Internet Access

The Superintendent or designee shall ensure that all district computers with internet access have a technology protection measure that blocks or filters internet access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254)

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.

The Superintendent or designee ~~also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.~~ regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and monitoring suspicious and/or threatening digital media content, in accordance with Board Policy 5125 - Student Records.

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Student use of district computers to access social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with internet access.

Legal Reference:

CIVIL CODE

3120-3123 Digital equity bill of rights

EDUCATION CODE

~~49073.6 Student records; social media~~

51006 Computer education and resources

51007 Programs to strengthen technological skills

~~51870-51874 Education technology~~

~~60011 Instructional materials definition~~

~~60012 Supplementary instructional materials~~

~~60017.1 Technology-based materials~~

60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 15

6501-6506 Children's Online Privacy Protection Act

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy Protection Act

UNITED STATES CODE, TITLE 20

~~6751-6777 Enhancing Education Through Technology Act, Title II, Part D~~

~~7101-7122 Student Support and Academic Enrichment Grants~~

~~6777-7131~~ 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

~~Management Resources: CSBA PUBLICATIONS~~

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: January 25, 1996 Fresno, California

revised: May 23, 2012

revised: Spring __, 2025

Policy Section: 6000 Instruction

Fresno Unified Board Policy (BP) 7310

Naming/Renaming of Facility

The Governing Board shall name **district** schools **and other district-owned or leased buildings, grounds, venues and ~~or individual~~** facilities in recognition of:

1. Individuals, living or deceased, **and entities that ~~who~~** have made outstanding contributions to the **region**, county or **school** community
2. Individuals, living or deceased, who have made contributions of state, national or worldwide significance
3. The geographic area in which the school or building is located

The Board encourages community participation in the process of selecting names.

Community members and/or students interested in proposing a name for a school or district facility, shall gather signatures and present a naming/renaming petition to the Area Trustee in which the building, grounds, or facilities are located. All signatories shall reside within district boundaries and shall list their name and address. The petition shall include a minimum of 200 signatures.

Upon receipt of the naming/renaming petition, the Trustee shall provide a copy to the Superintendent or designee. The Communications office will conduct a survey of staff and/or students/families. The survey will be provided in all threshold languages and participants will have 30 days to complete the survey.

Upon completion of the survey, the Board shall hold a public hearing at which members of the public will be given an opportunity to provide input for the Board's consideration. Survey results will also be presented for consideration.

The Board reserves the authority to terminate the naming right if it determines that the grantee, subsequent to receiving the naming right, has engaged in any criminal or unlawful acts that might bring the district into disrepute. The Board also reserves the authority to reject a naming request that violates the district's Nondiscrimination policies.

(cf. 0410 – Nondiscrimination in District Programs And Activities)
(cf. 0415 – Diversity, Equity and Inclusion)

Legal Reference:
EDUCATION CODE
35160 Authority of governing boards

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: March 26, 1992 Fresno, California
revised: August 24, 1995
reviewed: July 31, 2001
revised: January 27, 2010
revised: _____, 2025

Policy Section: 7000 Facilities